

Document No: A414267

Report To: Council



Meeting Date: 27 November 2018

Subject: Deputation – Rural Connectivity Group - Rural Broadband Initiative Phase 2 and Mobile Black Spot Programme

Type: Information Only

Purpose of Report

- 1.1 The purpose of this business paper is to advise Council that Caitlin Metz, Engagement Manager for Rural Connectivity Group (RCG) will be in attendance at 9.00am to present on progress with the Rural Broadband Initiative Phase 2 and Mobile Black Spot Programme.
- 1.2 Attached to and forming part of this business paper is a copy of the email and brochure provided by RCG to Mayor Hanna.

Suggested Resolutions

The Deputation from Caitlin Metz, Engagement Manager for Rural Connectivity Group - Rural Broadband Initiative Phase 2 and Mobile Black Spot Programme be received.

A handwritten signature in blue ink, appearing to read "Michelle Higgie".

MICHELLE HIGGIE
EXECUTIVE ASSISTANT

From: Brian R. Hanna
Sent: Thursday, 22 November 2018 10:13 AM
To: Michelle Higgie
Cc: Helen Beaver
Subject: Fwd: Rural Connectivity Group - Rural Broadband Initiative Phase 2 and Mobile Black Spot Programme
Attachments: 180504 RCG A4 Broch.pdf; ATT00001.htm
Follow Up Flag: Follow up
Flag Status: Flagged

I imagine our agenda for Tuesday is pretty full, just wondered if a half hour slot was possible

Sent from my iPhone

Begin forwarded message:

From: "Caitlin Metz" <caitlin.metz@thercg.nz>
To: "Brian R. Hanna" <brh@waitomo.govt.nz>
Cc: "Chris Ryan" <Chris.Ryan@waitomo.govt.nz>
Subject: **Rural Connectivity Group - Rural Broadband Initiative Phase 2 and Mobile Black Spot Programme**

Good Afternoon Mayor Hanna

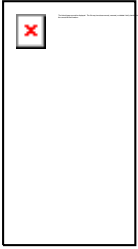
The Rural Connectivity Group has been established to build the infrastructure required to provide rural broadband services and mobile services to those that are currently without those services in rural New Zealand. This infrastructure is being funded by the governments Rural Broadband Initiative Phase 2 (RBI2) and the Mobile Black Spots (MBS) programmes. The Rural Connectivity Group is partnering with Crown Infrastructure Partners to deliver these important programmes of work.

The Waitomo district is proposed to benefit under these programmes with 5 potential mobile sites identified to deliver rural broadband and mobile coverage to the rural residents and businesses. Delivering telecommunications infrastructure into these remote areas is not without significant challenges and these programmes are unique in that government, industry and the three largest mobile network operators are all working together to achieve this important connectivity for those New Zealanders that are currently without services.

The Rural Connectivity Group is a brand new entity bringing the best knowledge and experience of the telecommunications industry together, and we have a strong focus on innovation and a shared goal of making the RBI and MBS funding stretch as far as possible. We are looking for Council and community help to achieve that goal also. I attach a brochure to provide a little more information about how this collaboration works.

I am writing to ask if there would be any room on the Council meeting agenda of 27 November for me to present to Council the programme of work in Waitomo and how we might work together to achieve the programme deliverables. I realise it is late notice but I realised it is your last Council meeting before the end of the year.

Kind regards
Caitlin Metz



Caitlin Metz
Engagement Manager
Phone 021 033 1116
Caitlin.Metz@theRCG.nz

Rural Connectivity Group | 48 Emily Place | Auckland 1010 | New Zealand
PO Box 192 | Shortland Street | Auckland 1140 | New Zealand

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Rural Connectivity Group



A more
connected rural
New Zealand
is coming

Getting more rural Kiwis connected is a challenging task - this is due to the rugged terrain, low population numbers, and the cost of building and operating a network in remote places.

Better mobile phone and high-speed broadband services are needed - and absolutely critical for daily life in rural New Zealand.

Being connected means:

- being able to contact emergency services making our communities and roads safer
- opening up a world of innovation to make farming safer, more efficient, profitable and sustainable
- the kids doing their homework online
- paying business and household bills online
- fast access to online entertainment and social media
- bringing our rural brands to the world
- furthering our environmental and predator-free aspirations
- tourists sharing their experiences and boosting our global reputation
- bridging the rural vs urban digital divide
- helping people stay connected with each other, when and where they want or need to.

A more connected New Zealand is on its way.

The Rural Connectivity Group

Established in 2017, the RCG is solely focused on building the infrastructure which will deliver connectivity services from New Zealand's three mobile networks - Spark, Vodafone and 2degrees.

Home and Work

Our build plan aims to deliver access to as many people and places as possible. We will cover ~34,000 rural homes but we are aiming for even more!

Mobile Black Spots

Mobile Black Spots are stretches of State Highway where no coverage currently exists - like SH6 on the West Coast and SH1 in the Far North. Over 1000 kilometres of State Highway will gain mobile services, which will improve public safety.

Tourist Hot Spots

At least 100 of the country's top tourist hotspots in remote locations will get connectivity. These new towers will give visitors and tourists an even greater experience of places like Milford Sound and Cape Reinga.

Spark, Vodafone and 2degrees

All three mobile network operators will be able to offer 4G services from the infrastructure, meaning you can choose which network you receive services from.

What is 4G Wireless Broadband?

Wireless broadband is high-speed broadband delivered over the 4G mobile network - rather than through the fixed line copper network. It's quick and easy to install, it's reliable, and it is fast enough to watch the latest online movie releases.

Government and Industry working together

The RCG is using funding from the Government's Rural Broadband Initiative Phase 2 and the Mobile Black Spot programmes, as well as contributions from Spark, Vodafone and 2degrees. By working together, we can all contribute to a successful outcome for a more connected New Zealand.

Built by December 2022

We have an aggressive plan to build over 450 new mobile broadband sites by December 2022. Our first site was built in Haast on the West Coast in May 2018.

Stretching our funds as far as they can go

We plan to continue building as many mobile broadband sites as possible. With the help of rural communities, landowners, local businesses, councils, Iwi, DoC, NZTA, our suppliers and the mobile network operators - we hope to continue building and extend coverage even further!

By working together - we can all contribute to a successful outcome for a connected rural New Zealand.

We are looking for offers of land where we could build new mobile broadband sites - if you think you could help, or just want to have a conversation about the possibility - please don't hesitate to get in touch!

CONTACT:

Caitlin Metz, RCG Engagement Manager
Email: Caitlin.Metz@theRCG.nz
www.thercg.nz

Document No: A314882

Report To: Council



Meeting Date: 27 November 2018

Subject: Declaration of Members' Conflicts of Interest

Purpose of Report

- 1.1 The purpose of this business paper is for elected members to –
- 1 Declare interests that may be deemed a potential conflict with their role as an elected member relating to the business papers for this meeting, and
 - 2 Declare any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 29168.

Commentary

- 2.1 **Conflicts of Interest**
- 2.2 Every elected member has a number of professional and personal links to their community. They may own a business or be a member on a board or organisation. They may have a pecuniary (financial) interest or a non-pecuniary (non-financial) interest. These interests are a part of living in the community which they need to make decisions about in their role with Council.
- 2.3 Elected members are governed by the Local Authorities (Members' Interests) Act 1968 and are guided by the Auditor-General in how this Act is administered. In relation to pecuniary interests, the two underlying purposes of the Act are to:
- ensure members are not affected by personal motives when they participate in local authority matters; and
 - in contracting situations, prevent members from using their position to obtain preferential treatment from the authority (the Council).
- 2.4 Non-pecuniary interests relate to whether an elected member could be in danger of having a real or perceived bias for an issue under consideration.
- 2.5 Elected members will also have interests that are considered no greater than the public at large. For example, most elected members will own a property and therefore be a ratepayer in Waitomo District.
- 2.6 Conflicts of interest at times cannot be avoided, and can arise without anyone being at fault. They need not cause problems when they are promptly disclosed and well managed.
- 2.7 **Declarations of Interest**
- 2.8 At the beginning of each triennial council term, elected members are requested to disclose known interests on behalf of themselves and spouses or partners. It is

up to the elected member to judge whether they have any interests to declare. Some elected members may have none.

- 2.9 As well as this, elected members may decide that they have an interest in a particular issue or item to be discussed at a meeting. There is a standing item on every meeting agenda for elected members to declare conflicts of interest.
- 2.10 Members who have declared an interest in any matters that are due to be considered at a Council or Committee meeting should declare that they have an interest in the matter, leave the table and not take part in any discussion, debate or vote on that matter.
- 2.11 Attached to and forming part of this business paper is information to assist elected members in determining conflicts of interest.

Declarations

Mayor Hanna will invite elected members to give notice of any conflicts of interest relating to the business for this meeting.

In the event of a Declaration being made, the elected member must provide the following information relating to the Declaration:

Name:	
Item of Business on the Agenda:	
Reason for Declaration:	

MICHELLE HIGGIE
EXECUTIVE ASSISTANT

Local Authority (Members' Interests) Act 1968
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- 3.1 The Local Authority (Members' Interests) Act 1968 helps to protect the integrity of local authority decision-making by ensuring that Councillors are not affected by personal motives when they participate in Council decision-making and cannot use their position to obtain preferential access to contracts. This Act deals with two forms of "interest":
1. Pecuniary
 2. Non-pecuniary
- 3.2 **Pecuniary Interest**
- 3.3 The **two** specific rules in the Act are that members cannot:
1. Enter into contracts with their local authority worth more than \$25,000 (including GST) in a financial year unless the Auditor-General approves the contracts (referred to as the contracting rule). Breach of this rule results in automatic disqualification from office; and
 2. Participate in matters before the Council in which they have a pecuniary interest, other than an interest in common with the public (referred to as the participation rule). Breach of this rule is a criminal offence and conviction results in automatic disqualification from office
- 3.4 A pecuniary interest is one that involves money. This could be direct or indirect. It is sometimes difficult to decide whether an interest in a particular matter is pecuniary or some other kind. It is always the responsibility of elected members to make this decision, to declare any interest when appropriate and to ensure that as an elected member you comply with the Act's requirements at all times. The Act generally provides that no person shall be capable of being a member of Council if that person is concerned or interested in any contracts with the Council where the total payments made by the Council in respect of such contracts exceeds \$25,000 in any one financial year.
- 3.5 The Act also provides that an "interest" exists where a member's spouse is involved and/or where a member or their spouse is a major shareholder or have control or management of a company which contracts with Council or where the company has a pecuniary interest in the decision. It may also apply where your family trust has a contract with the Council.
- 3.6 The Act does provide that on application to it the Office of the Auditor General may give specific approval to a member being concerned or interested in a particular contract, in which case the provisions of the Act will not disqualify the Councillor from remaining in office. The approval needs be gained before the contract concerned is entered into.
- 3.7 The Act also requires that a member shall not vote or take part in the discussion of any matter in which he/she has any pecuniary interest, other than an interest in common with the public. This interest is required to be declared by the member and is noted in the minutes.
- 3.8 The Office of the Auditor General is the agency, which oversees this legislation and it also has the responsibility and power to institute proceedings against any member. The Act does not define pecuniary interest, however the Office of the Auditor-General uses the following test: "Whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned."

- 3.9 In deciding whether you have a pecuniary interest you should consider the following factors: What is the nature of the decision being made? Do I have a financial interest in that decision – do I have a reasonable expectation of gain or loss of money as a result of making that decision? Is my financial interest one that is in common with the public? Do any of the exceptions in the Act apply to me? Could I apply to the Auditor-General for approval to participate?
- 3.10 Further guidance is provided in the booklet “Guidance for members of local authorities about the Local Authorities (Members’ Interests) Act 1968” which has been provided to 5 elected members. It is important that you pay particular attention to the contents of this booklet as this is one of the few areas of the Council’s business where staff do not set out to provide pro-active advice and members are personally liable for compliance with the provisions of this Act.

3.11 Non-Pecuniary Interest

- 3.12 Non-pecuniary interest is any interest the member may have in an issue that does not involve money. A common term for this is “bias” or pre-determination. Rules about bias operate not only to ensure that there is no actual bias, but also so there is no appearance or possibility of bias. The principle is that justice should not only be done, but it should be seen to be done. Bias may be exhibited where: -
- By their statements or conduct a member may indicate that they have predetermined the matter before hearing or considering all of the relevant information on it (including the Council’s debate); or
 - The member has a close relationship with an individual or organisation affected by the matter.
- 3.13 Non-pecuniary interest is a difficult issue as it often involves matters of perception and degree. The question you need to consider, drawn from case law, is: “Is there, to a reasonable, fair-minded and informed observer, a real indication of bias on the part of a member of the decision making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?” If there is, the member should declare their interest and withdraw from the debate and take no further part in the discussion of this item. The law about bias does not put you at risk of personal liability. Instead, the validity of the Council’s decision could be at risk. The need for public confidence in the decision-making process is paramount and perception can be an important factor. Again the booklet provided by Office of the Auditor General provides some excellent advice and information on this issue.

Waitomo District Council Procurement Policy – 23 February 2013

4.1 The following is an extract from the Procurement Policy:

2.1.11 Conflicts of Interest

WDC procurement process will be conducted with a spirit of probity demonstrating:

- *integrity;*
- *honesty;*
- *transparency;*
- *openness;*
- *independence;*
- *good faith; and*
- *service to the public.*

A conflict of interest occurs where:

A member's or official's duties or responsibilities to Council could be affected by some other interest or duty that the member or official may have.

The other interest or duty might exist because of:

- *holding another public office;*
- *being an employee, advisor, director, or partner of another business or organisation;*
- *pursuing a business opportunity;*
- *being a member of a club, society, or association;*
- *having a professional or legal obligation to someone else (such as being a trustee);*
- *owning a beneficial interest in a trust;*
- *owning or occupying a piece of land;*
- *owning shares or some other investment or asset;*
- *having received a gift, hospitality, or other benefit from someone;*⁹
- *owing a debt to someone;*
- *holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue ; or*
- *being a relative or close friend of someone who has one of these interests, or who could otherwise be personally affected by a decision of Council*

A relative or close friend includes:

- *For matters covered by the Local Authorities (Members' Interests) Act 1968, the interests of a spouse, civil union partner, or de facto partner must be considered.*
- *Generally, the interests of any relative who lives with the member or official (or where one is otherwise dependent on the other) must be treated as being effectively the same as an interest of the member or official.*
- *For other relatives, it will depend on the closeness of the relationship, but it will usually be wise not to participate if relatives are seriously affected*
- *Where Council's decision or activity affects an organisation that a relative or friend works for, it is legitimate to take into account the nature of their position or whether they would be personally affected by the decision.*

Examples of potential conflicts of interest include:

- *conducting business on behalf of Council with a relative's company;*
- *owning shares in (or working for) particular types of organisation that have dealings with (or that are in competition with) Council;*

- *deliberating on a public consultation process where the member or official has made a personal submission (or from making submissions at all, in areas that directly relate to the entity's work);*
- *accepting gifts in connection with their official role; or*
- *influencing or participating in a decision to award grants or contracts where the member or official is connected to a person or organisation that submitted an application or tender.*

All elected members, WDC staff or advisers involved in a procurement process are required to declare any other interests or duties that may affect, or could be perceived to affect, their impartiality. WDC will then decide the steps necessary to manage the conflict, having regard to any relevant statutory requirements. WDC will maintain a register of declarations of conflicts of interest that records any conflicts of interest and how they will be managed.

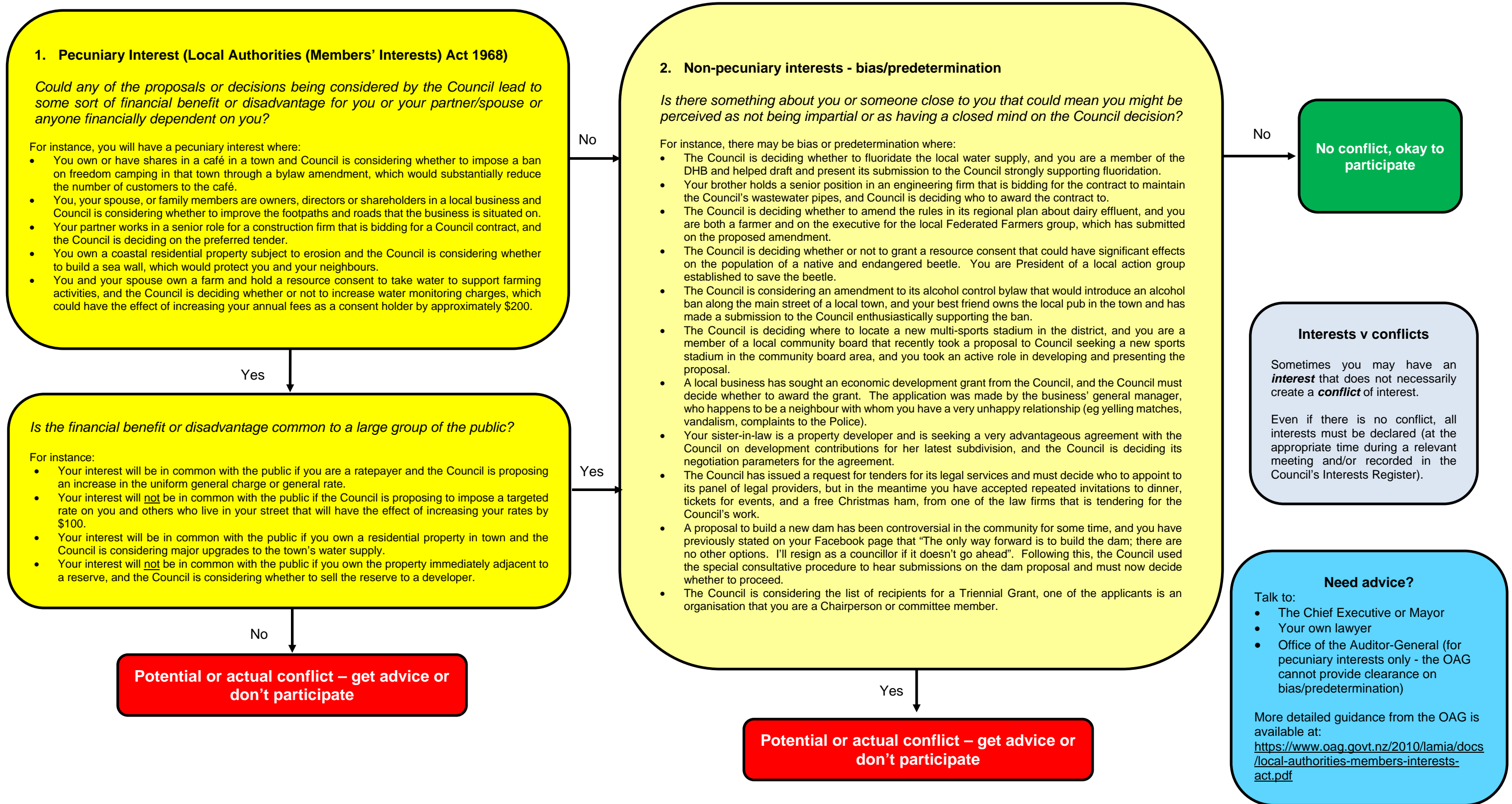
An annual update of the register will be coordinated and maintained by the Executive Office.

Under no circumstances will a procurement process allow as an outcome of that process a circumstance where Council elected members, WDC staff or advisers to receive preferential treatment.

Before you participate in any Council decision ...

CONFLICTS OF INTEREST

Check you don't have a pecuniary interest and that there is no bias or predetermination.



Remember: If in doubt, stay out!

WAITOMO DISTRICT COUNCIL

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 30 OCTOBER 2018 AT 9.00AM

PRESENT: Mayor Brian Hanna, Deputy Mayor Guy Whitaker, Council Members Phil Brodie, Terry Davey, Allan Goddard and Janene New

IN ATTENDANCE: Greg Tims
Richard Allen (General Manager Performance, Quotable Value New Zealand)

Chief Executive (for part only); Executive Assistant (for part only); Group Manager – Corporate Services (for part only); General Manager – Infrastructure Services (for part only); General Manager – Environmental Services and Infrastructure Manager – Property (for part only); Senior Rates Officer (for part only) and Finance Officer (for part only)

1. Council Prayer

2. Apology

Resolution

The apology from Councillor Sue Smith be received and leave of absence granted.

New/Brodie Carried

3. Motion to Exclude the Public for the consideration of:
--

Council considered a business paper pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987 giving Council the right by resolution to exclude the public and staff from the whole or any part of a meeting on one or more of the grounds contained within that Section.

Resolution

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 Council agree that the Chief Executive, having relevant knowledge, be in attendance "as required" to assist Council with its decision making.
- 3 The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Section 48(1) grounds for this resolution
1. Contractual Issues: 12 Month Review	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
2. Contractual Issues: Setting of 2018/2019 KPIs	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982 as the case may require are listed above.

Goddard/New Carried

4. Resolution to Re-open Meeting to the Public

Resolution

The meeting be re-opened to the public for the consideration of that part of the Agenda which is not public excluded business.

New/Brodie Carried

The meeting adjourned for morning tea at 10.35am

Greg Tims left the meeting at 10.45am.

The meeting reconvened at 10.45am

5. Confirmation of Minutes – 25 September 2018

Resolution

The Minutes of the Waitomo District Council meeting of 25 September 2018, including the public excluded portion, be confirmed as a true and correct record.

Brodie/New Carried

6. Declarations of Member Conflicts of Interest

Members declared conflicts of interest in regard to the Agenda as follows:

Name	Item of Business on Agenda	Reason for Declaration
Mayor Hanna	• Item 16 – Waikato Region Cycle Trails Network – Programme Business Case	Shareholder in business on the Timber Trail Cycleway
Deputy Mayor Whitaker	• Item 16 – Waikato Region Cycle Trails Network – Programme Business Case	Shareholder in business on the Timber Trail Cycleway

7. Verbal Reports: Individual Councillor Roles and Responsibilities

The Mayor and Councillors gave verbal reports on their individual Council roles and responsibilities as follows:

Cr Brodie

- WDC Staff Breakfast Meeting
- Rukuhia Domain Board
- Piopio Community Swimming Pool Fundraiser
- Waitomo Catchment Trust Field Day
- KPMG Insights Seminar
- State Highway 3 Working Party Meeting

Cr New

- Waitomo Sister City
- Legendary Te Kuiti
- St Andrews
- Hillview

Cr Goddard

- Benneydale Hall AGM

Cr Davey

- Te Kuiti Community House

Cr Whitaker

- Destination Pureora
- Legendary Te Kuiti
- WDC Staff Breakfast Meeting
- District Licensing Committee
- Brook Park Working Bee
- Brook Park Meetings (x2)
- Powhiri – Thomas Tumai

Mayor Hanna

- WEST AGM
- 60+ Meeting
- Maru Trust
- Fire Brigade Awards
- Meeting with Barbara Kuriger and Andrew Mortimer

- Meeting with NZ Taxpayers Union
- LGNZ National Council Strategy Meeting
- GameOn Trust
- BNZ Stakeholder Meeting
- KPMG Insights Seminar
- Jackie Fitzgerald's NZ Police Farewell
- Craig Lindstrum's Long Service Award
- WDC Customer Services Team Governance Briefing
- Provincial Growth Fund Application Discussion Meeting

Resolution

The verbal reports be received.

New/Brodie Carried

8. Receipt of Brook Park Minutes: 6 August 2018 and 17 September 2018

Council considered a business paper providing information relating to the August and September 2018 Brook Park Incorporated Society Meetings.

The Deputy Mayor expanded verbally on the Minutes and answered Member's questions.

Resolution

The business paper on Brook Park Incorporated Society: Minutes of 6 August 2018 and 17 September 2018 be received.

Whitaker/New Carried

9. Receipt of Waitomo Sister City Committee Minutes: 22 August 2018 and 18 September 2018

Council considered a business paper providing information relating to the Waitomo Sister City Committee Meetings of 22 August 2018 and 18 September 2018.

The Mayor and Councillor New expanded verbally on the Minutes and answered Member's questions.

Resolution

The business paper on Waitomo District Sister City Committee – Minutes of Meetings: 22 August 2018 and 18 September 2018 be received.

New/Brodie Carried

10. Adoption of Road Map Work Programme for the three year period ending 30 June 2021

Council considered a business paper presenting for consideration and adoption, the Road Map Work Programme for the period 1 July 2018 to 30 June 2021 as workshopped by the Council on 16 October 2018.

The Executive Assistant expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Adoption of Road Map Work Programme for the three year period ending 30 June 2021 be received.
 - 2 The Road Map Work Programme for the three year period ending 30 June 2021 (Doc A410508) be adopted.
- Whitaker/Goddard Carried

11. Maniapoto Maori Trust Board - Waipa River Integrated Management Plan

Council considered a business paper providing a brief on the commencement of the Upper Waipa River Integrated Management Plan process by the Maniapoto Maori Trust Board (MMTB); as outlined in the letter addressed to the Mayor dated 18 September 2018.

The Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Maniapoto Maori Trust Board - Waipa River Integrated Management Plan be received.

Brodie/Goddard Carried

12. Delegations Register - Update

Council considered a business paper seeking Council's consideration of a revised Delegations Register updated to reflect an amendment to the following position titles:

- 'Group Manager Compliance' to 'General Manager Environmental Services'
- 'Planner' to 'Senior Planner'.

The Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Delegations Register - Annotation be received.
 - 2 The delegations to Council Committees, the Chief Executive, and named roles as contained in the proposed Waitomo District Council Delegations Register (Doc No. A409701), pursuant to the Local Government Act 2002, the Local Government (Rating) Act 2002 and the Resource Management Act 1991, be adopted and shall replace and supersede the Delegations Register 1.1 with immediate effect.
- Whitaker/Davey Carried

The General Manager Environmental Services entered the meeting at 11.50am.

13. Civil Defence Emergency Management Local Recovery Manager Arrangements

Council considered a business paper presenting for consideration a proposal to establish a Civil Defence Emergency Management (CDEM) Local Recovery Manager role.

The Chief Executive and General Manager Environmental Services expanded verbally on the business paper and answered Members questions.

Resolution

1. The business paper on Civil Defence Emergency Management Local Recovery Manager Arrangements be received.
2. Council approve the establishment of a permanent part- time Local Recovery Manager role.

Goddard/Whitaker Carried

14. Progress Report - Civil Defence and Emergency Management

Council considered a business paper providing a brief on current activities within the Civil Defence and Emergency Management portfolio.

The General Manager Environmental Services expanded verbally on the business paper and answered Members questions.

Resolution

The Progress Report: Civil Defence and Emergency Management (CDEM) be received.

New/Goddard Carried

The General Manager Environmental Services left the meeting at Midday.

15. Sport Waikato – Six Monthly Report (1 January to 30 June 2018)

Council considered a business paper presenting the Sport Waikato Six Monthly Report (1 January to 30 June 2018).

The Executive Assistant and Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Sport Waikato – Six Monthly Report (1 January to 30 June 2018) be received.

New/Davey Carried

16. Waikato Region Cycle Trails Network – Programme Business Case
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Council considered a business paper presenting the Waikato Regional Cycle Trails Network Programme Business Case to Council for consideration.

The Mayor and Deputy Mayor refrained from participation in this item of business due to a declared conflict of interest.

The Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Waikato Region Cycle Trails Network – Programme Business Case be received.
- 2 Council endorse the Waikato Region Cycle Trails Network – Programme Business Case.

Goddard/Davey Carried

The Group Manager – Corporate Services entered the meeting at 12.15pm.

17. Annual Report 2017-2018 – Adoption

Council considered a business paper presenting the Draft Annual Report 2017-2018 recommended by Council's Audit and Risk Committee for Council's consideration and adoption.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

The Mayor, on behalf of the Council, congratulated the Chief Executive and Group Manager – Corporate Services and their Team on the excellent outcome and positive comments received from Council's Auditors on the Annual Report.

Resolution

- 1 The business paper on the Annual Report 2017-2018 – Adoption be received.
- 2 The Chief Executive be delegated authority to ensure any formatting/grammatical changes and feedback from the Audit and Risk Committee and Council is accurately reflected in the Final Annual Report 2016-2017 prior to publication.
- 3 The audited Annual Report 2017-2018 be adopted.

Brodie/Goddard Carried

18. Adoption of the Communications Strategy
--

Council considered a business paper presenting the Draft Communications Strategy for Council's consideration and adoption.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Adoption of the Communications Strategy be received.
- 2 The Waitomo District Council Communications Strategy 2018 be adopted.

New/Whitaker Carried

19. Civic Financial Services Ltd Half - Yearly Accounts to 30 June 2018

Council considered a business paper presenting the half-yearly accounts for Civic Financial Services Ltd for the six months ended 30 June 2018.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Civic Financial Services Half yearly accounts to 30 June 2018 be received.

Whitaker/Davey Carried

20. Update on Representation Arrangements Review

Council considered a business paper providing Council with an update on the review of Representation Arrangements for the 2019 elections.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Update on Representation Arrangement Review be received.

New/Goddard Carried

21. Waikato Plan Update: Revised Terms of Reference

Council considered a business paper providing an update on changes to the Waikato Plan implementation, including recommendations regarding a refreshed Waikato Plan governance entity.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The report Waikato Plan Update – Revised Terms of Reference be received.

- 2 The Waikato Plan Leadership Committee Terms of Reference included as Appendix 1 be received.
- 3 Waitomo District Council agree that the Waikato Plan Leadership Group Joint Committee in its current form be disestablished.
- 4 Waitomo District Council notes the establishment of the Waikato Plan Leadership Committee as a committee of Waikato Regional Council.

Goddard/Brodie Carried

The meeting adjourned for lunch at 12.20pm and reconvened at 1.00pm.

Richard Allen (General Manager Performance, Quotable Value New Zealand), the Senior Rates Officer and Finance Officer entered the meeting at 1.00pm

22. Deputation: Quotable Value New Zealand - General Revaluation 2018 of Waitomo District
--

Council considered a business paper:

- Providing an overview of the results of the 2018 General Revaluation of the Waitomo District and,
- advising that representatives from Quotable Value New Zealand will be in attendance at the meeting at 1.00pm to provide a briefing to Council on the revaluation.

Richard Allen (General Manager Performance, Quotable Value New Zealand) gave a Powerpoint Presentation and answered Members questions.

Resolution

- 1 The business paper Deputation: Quotable Value New Zealand - General Revaluation 2018 of Waitomo District be received.
- 2 The Deputation from Quotable Value New Zealand - 2018 General Revaluation of Waitomo District be received.
- 3 The report from the Valuer General on his review of the general revaluation of the Waitomo District as at 1 September 2018, as undertaken by Quotable Value, be received.
- 4 Subject to the outcome(s) of the objections process, Council approve the 2018 District General Revaluation.

Brodie/New Carried

Richard Allen (General Manager Performance, Quotable Value New Zealand), the Group Manager – Corporate Services, Senior Rates Officer and Finance Officer left the meeting at 1.25pm.

23. Motion to Exclude the Public

Council considered a business paper pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987 giving Council the right by resolution to exclude the public and/or staff from the whole or any part of a meeting on one or more of the grounds contained within that Section.

Resolution

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 Council agree the following staff, having relevant knowledge, remain in attendance to assist Council with its decision making:

Chief Executive
 Executive Assistant
 General Manager – Infrastructure Services
 Infrastructure Manage – Property

- 3 The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Section 48(1) grounds for this resolution
1. Te Kuiti Aerodrome Future Plan	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
2. Marokopa Camp Ground – Service Arrangements	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)
3. Inframax Construction Limited – 2018 Annual General Meeting	7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)(d)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982 as the case may require are listed above.

Whitaker/Davey Carried

There being no further business the meeting closed at 2.30pm

Dated this day of 2018.

BRIAN HANNA
MAYOR

Confidential Confidential

Confidential Confidential

Confidential

Confidential Confidential


Confidential Confidential

Confidential

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Confidential

Document No: A414031	
Report To:	Council
	Meeting Date: 27 November 2018
	Subject: Receipt of Brook Park Incorporated Society: Minutes – 8 October 2018 and 29 October 2018
	Type: Information Only

Purpose of Report

- 1.1 The purpose of this business paper is to provide Council with information relating to the latest Brook Park Incorporated Society meeting.

Local Government Act S.11A Considerations

- 2.1 There are no Section 11A of the Local Government Act considerations relating to this business paper.

Background

- 3.1 In November 2007, Council established a Work Group for the purpose of working with a Consultant and members of the community to develop a proposal and policy document for Brook Park.
- 3.2 Development of the Brook Park Management Plan (MP) was completed following a public consultation process, including a Hearing of submissions in February 2010.
- 3.3 An objective contained in the MP was to establish a Friends of Brook Park (FBP) organisation to enable the community to participate in the future of Brook Park, and, and as a primary objective, to raise funds for achieving park projects and developments.
- 3.4 The FBP was to replace the Brook Park Advisory Committee which was in place at that time, but which did not have any mandate to represent the community's interest in the Park, nor to raise funds for park projects.
- 3.5 It was envisaged that the FBP would enable the community to become more involved in their Park, through dissemination of information; being able to assist in fundraising and other activities that promote and enhance Brook Park; and by having a "voice" to assist Council with management of Brook Park.
- 3.6 As a charitable body, and an incorporated society, a FBP organisation would be able to successfully apply for third party funding to assist Council with implementing the community's vision for Brook Park.
- 3.7 The Policy implemented by Council through the Brook Park MP is as follows:
1. *Council will support and encourage the formation of a Friends of Brook Park, as a charitable incorporated society.*
 2. *The aims of the Friends of Brook Park shall be:*
 - i) *To foster interest in Brook Park;*
 - ii) *To promote the development of Brook Park;*
 - iii) *To raise funds for approved projects*
 - iv) *To preserve the integrity of Brook Park*

3. *The Constitution of the Friends of Brook Park shall provide for Council representation on the Society's Committee, and to enable the representative to veto any decision that is not in the best interests of the park or the community.*
 4. *Council will dissolve the Brook Park Advisory Committee on the successful establishment of the Friends of Brook Park.*
- 3.8 During 2011 WDC advertised several times seeking interested persons to join the committee with limited success. Council considered that a Leadership Work Group consisting of three Council members would be beneficial to provide political leadership and assist in getting the FBP established and in December 2011 Council established the Brook Park Leadership Work Group.
- 3.9 The FBP Group was finally established early in 2012 with numbers fluctuating as more members of the public become interested in the future of the park. By mid-2012 the group was incorporated as the "Brook Park Incorporated Society" (BPIS) to administer the day to day operations/development of Brook Park.
- 3.10 Brook Park is operated as a farm park, with a grazing licence granted by WDC to a lessee. The Reserves Act 1977 states that any lease or agreement on reserve land has to be granted by the administering body, which in this case is the Waitomo District Council. Therefore BPIS cannot lease these grazing rights to another entity or individual.
- 3.11 With the administering body being WDC and the consequent income stream for the grazing lease being part of WDC's reserve income (between \$2000-\$4000), there was little opportunity for the BPIS to achieve a sustainable income stream for minor works and administration. The income derived by BPIS at that time was by way of subscription donation (\$10 per member) and any successful grant applications for specific projects.
- 3.12 To improve the financial viability and robustness of the BPIS, in October 2012 a Memorandum of Understanding (MOU) between WDC and BPIS was developed and approved. Council also agreed to provide an annual grant to BPIS for operational management of the reserve, equivalent to the annual derived lease income.

Commentary

- 4.1 Since early in 2014, BPIS has kept WDC informed of progress in the day to day operations/development of Brook Park by providing copies of its monthly meeting Minutes.
- 4.2 Attached to and forming part of this business paper is a copy of the BPIS unconfirmed Minutes of 8 October 2018 and 29 October 2018.

Suggested Resolution

The business paper Brook Park Incorporated Society: Unconfirmed Minutes of 8 October 2018 and 29 October 2018 be received.



MICHELLE HIGGIE
EXECUTIVE OFFICER

Attachments: Brook Park Incorporated Society Minutes – 8 October 2018 and 29 October 2018



BROOK PARK
INCORPORATED SOCIETY

Meeting Minutes
Monday 8 October 2018
5.30 pm

Council Chambers
Queen Street
TE KUITI

BROOK PARK INCORPORATED SOCIETY

**THE MINUTES OF THE MEETING OF THE BROOK PARK INCORPORATED SOCIETY
HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON MONDAY 8 October
2018 COMMENCING AT 5.30 PM**

MINUTES

Attendance: Guy Whitaker, Gerald Kay, Neil Brooks, Phillip Houghton, Glynn Meads, Robin Charteris, Elly Kroef, Andrea Hanna, Sue Wagstaff, Suzie Hoare.

Apologies – Jane Murray , Dawn Anselmi. Accepted- M/ S Neil / Gerald.

Confirmation of Minutes 17 September

That minutes of previous meeting be accepted as a true and accurate record. M/S Andrea/ Phillip.

Matters Arising from Minutes

Nil

Financial Report

Opening balance-\$18 536.38	Closing balance-\$18 537.80
Accounts to pay: \$414-Smith, Mitchell Associates	
	\$93.98-Elly Kroef, for Vigilant
	\$ 528.77-Placemakers for Concrete, posts for D-Golf.
Deposits :\$200 Donation	
	\$50 Te Kuiti Dental

Report accepted . M/S- Phillip/ Sue

Correspondence

Inwards: Cloudy Ngatai-food selling at Brook Park

‘This is Me... Women’s event to use the Mtnbike track on Nov 3
Compliance Certificate for Guy Fawkes.

Outwards: to WDC - Compliance Certificate for Guy Fawkes.

Guy Fawkes sponsorship letters

Maintenance/Fencing

Gerald has fixed a hole in the fence.

Sheep crossing cattle stops onto mtn bike track to be monitored

Trees overhanging the boundary fence to be monitored also. Guy to talk to Kelvin re the possibility of trimming limbs deemed to be hazardous to the fence.

Weed Control

Good turn out to the Working Day on Sunday 7 October. Privet and other noxious weeds targeted. Further spraying and weed -pulling assault on Wednesday 10 October, @ 9 am.

Discussed future work day to involve the wider community, on Sunday 2 December. More details to follow.

Disc Golf

Baskets, posts to be installed Wed/ Thurs this week. Signs and other posts to come, also names for holes.

Guy Fawkes

Guy handed out a task list and allocated jobs to team members. Other possible stalls discussed: Hangi, Scouts, Tatsumo group, Rangitoto School, ice-cream/ hot food truck.

Carols in the Park

Sunday 16 December. Lyceum Club and Te Awamutu Brass Band confirmed. Discussion re sound system.

General Business Nil

Meeting closed 6:58 pm

Next meeting . Monday 29 October @ 5.30 pm

Focus on Guy Fawkes and also is our **AGM**. Other agenda items to Guy by Thursday 25 October please.

Neil Brooks
Secretary



BROOK PARK
INCORPORATED SOCIETY

Meeting Minutes
Monday 29 October 2018
5.30 pm

Council Chambers
Queen Street
TE KUITI

BROOK PARK INCORPORATED SOCIETY

**THE MINUTES OF THE MEETING OF THE BROOK PARK INCORPORATED SOCIETY
HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON MONDAY 29
October 2018 COMMENCING AT 5.30 PM**

MINUTES

Attendance: Guy Whitaker, Gerald Kay, Neil Brooks, Phillip Houghton, Glynn Meads, Elly Kroef, Andrea Hanna, Dawn Anselmi, Jane Murray, Helen Sinclair..

Apologies – Robin Charteris, Sue Wagstaff, Suzie Hoare, Graeme Churston . Accepted- M/ S - Elly/ Gerald

Confirmation of Minutes 8 October

That minutes of previous meeting be accepted as a true and accurate record. M/S Neil/ Elly.

Matters Arising from Minutes

Neil to place an advert for our AGM on Mon 3 .12 in Waitomo News Tuesday 27.11

Financial Report

Opening balance	\$18 537.80	Closing balance-	\$17 851.05
Westpac Term Deposit	-\$10172.03		
Accounts to pay:	\$6891.38	Disc Golf-Baskets, signs.	
	\$56.53	Waitomo News-Work Day advert.	

Deposits : \$250 Donation Dobson Motors.

Report accepted . M/S- Phillip/ Jane.

Disc Golf

Discussed hole sponsors and naming.

Motion agreed- 'To purchase 100 BPIS logo discs at a cost of \$1109.75, fluoro – coloured if possible' . M/S Neil/Glynn

Motion agreed- "Apply to Community Partnership Fund for Tee pads for Disc Golf, to a value of \$4 725+ GST". M/S –Guy/ Neil. Phillip to make application by Thursday deadline.

Correspondence

Inwards: Cloudy Ngatai-Grant application to WDC for Portaloo hire successful.

Line Company-Guy Fawkes sponsorship for the next 3 years @ \$ 2500 p.a.

Outwards-Nil

Maintenance/Fencing

Gerald to fix a hole in the fence .

Tony Sircombe has offered to drop trees on the boundary fence.

Guy to approach Kim Atkinson who is to be paid to repair fences and incorporate stiles where required as per Disc Golf plan. Kim to liaise with Gerald.

Weed Control

Work Days on Wednesdays from 9-11 am.

Guy Fawkes

- All 2017 sponsors , except Farmlands, on board, with a total of \$7 850 donated. Others donating: Signs Alone, DM Jewellery, Cruise FM, Waitomo News.
- Pirotechnics to cost \$6 900.
- Jane to put posters in shop windows.
- Robin to carry out household letterbox drop.
- Pallets available from OMYA-Guy to arrange.
- Guy to see David Higgins re cattle stop boards.
- Gerald/ Glynn to manage event on the day, supported ably by available team members. Guy to meet with them this week to finalise arrangements.
- Maori Wardens to provide carpark security.
- Inframax to provide Traffic Management Plan.
- 'Donut' Lady confirmed.
- Fire Brigade to light fire.
- Dawn to provide diesel.
- Pipers to announce fire-lighting is about to commence.
- Elly to contact hangi organisers.
- Fall back day is Sunday 11.11
- 'Man-Up' group to provide free sausages, but early in the evening so as not to clash with other food providers. They may also have a site on the day.
- Portaloos to be collected from JG Hire in Otorohanga, and stored in the WDC yards after the event, and returned to JG on Monday .
- Set up 9 am Saturday. Please bring own headlamps for clean up Saturday night.
- Other details as per Guy's list.

Carols in the Park

- Sunday 16 December confirmed, 6 pm start .
- Martha Asch / St Joseph's School will be arranging a nativity theme.
- BPIS BBQ as per 2017.
- Elly to arrange a Waitomo News article, and also notes in school newsletters.

General Business Nil

Meeting closed: 7 22 pm

Next meeting . AGM-Monday 3 December @ 5.30 pm. Reports, please, to Neil by Thursday 29 November to be included with the meeting's agenda.

Neil Brooks
Secretary

Document No: A414032

Report To: Council



Meeting Date: 27 November 2018

Subject: Waitomo District Sister City Committee –
Minutes of Meetings: 13 November 2018

Type: Information Only

Purpose of Report

- 1.1 The purpose of this Business Paper is to provide Council with information relating to the Waitomo Sister City meetings of 13 November 2018.

Commentary

- 2.1 On 22 March 1994 it was adopted that Waitomo District Council (WDC) would have a Waitomo Sister City Committee (the Committee). This Committee would comprise of; His Worship the Mayor, the Chief Executive, Customer Services Executive and such members from the public as may from time to time be agreed.
- 2.2 A Sister City relationship was formed on 30 March 1995 with the signing of a formal agreement by Waitomo District Council and the Tatsuno Township on behalf of their communities. The Agreement was later signed in Tatsuno on the 26 April 1995. This Agreement outlines key factors such as the promotion of friendship and goodwill along with the endeavour to encourage an understanding and awareness of the separate cultures and the exchange of ideas and people between the communities.
- 2.3 The relationship with the Tatsuno International Association has been led by the Committee on which the WDC staff and Councillors of different appointments have historically sat.
- 2.4 There has been varied levels of membership and association to external supporting groups over the years as a means to enhance the Sister City relationship.
- 2.5 A Waitomo Sister City Terms of Reference and Guidelines was developed to support the Committee, WDC and Host Schools involved in the maintenance and enhancement of the Sister City relationship with Tatsuno Township. These documents were adopted by both the Committee and Council in October 2017.
- 2.6 In accordance with clause 6 of the Terms of Reference, a copy of the latest Committee meeting minutes are attached to and forms part of this business paper for Council's information.

Suggested Resolution

The business paper on Waitomo District Sister City Committee – Minutes of Meetings: 13 November 2018 be received.

A handwritten signature in blue ink, appearing to read 'M. Higgie'.

MICHELLE HIGGIE
EXECUTIVE ASSISTANT

November 2018

Attachments: 1. Waitomo Sister City Minutes - 13 November 2018

WAITOMO DISTRICT SISTER CITY COMMITTEE

MINUTES OF A MEETING OF THE WAITOMO DISTRICT SISTER CITY COMMITTEE HELD IN THE MAYOR'S MEETING ROOM, QUEEN STREET, TE KUITI ON TUESDAY 13 NOVEMBER 2018 AT 4:00PM

PRESENT: Janis MacDonald (Chairperson)
Mayor Brian Hanna

Janene New
Deputy Mayor Guy Whitaker
Jenny Crown
Marilyn MacKinder
Clowdy Ngatai (WDC Community Development Coordinator)

APOLOGIES: Andrea Hanna

1. Agenda

- Apologies
- Confirmation of Previous Minutes
- Matters Arising
- Inward Correspondence
- 2019 Trip
- Legal Entity – Rules and progress
- General Business
- Set Next Meeting Date/Time

2. Apologies

The apologies were tabled and accepted by the committee unanimously

B Hanna/J New Carried

3. Confirmation of Minutes - 18 September 2018

Resolved

The Minutes of the Waitomo Sister City meeting convened on 18th September 2018 be noted as true and correct.

B Hanna/ M MacKinder Carried

Note: There was no October Meeting of the Committee as a quorum was not achieved for a meeting to proceed.

4. Matters Arising

1. Hirere has asked to attend a meeting with the Sister City, it is agreed by the collective that Hirere be invited to the next AGM.
2. A meeting with the parents and students selected to travel to Tatsuno was held in the Council Chambers on Tuesday October 16th which went well.

5. Inward Correspondence

No Correspondence has been received.

6. 2019 Trip to Tatsuno

Students

18 student applications were received to travel to Tatsuno in 2019. All of these applications were assessed by the Waitomo District Sister City Committee members with twelve students selected to be interviewed by a panel of three committee members.

Eight of the students were selected to travel. These students are:

1. Yasmin Hitchen
2. Naomi Cooper Pickering
3. Alsisha Thackray
4. Connor Lee
5. Mathew Riley
6. Mitchel Headley
7. Jake Randle
8. Joel Rendall

It is noted that whilst the process was undertaken independently by each of the committee members the assessment and selection of students to be interviewed was similar for each committee member.

The group of students attended a meet and greet held on the 16th October in the Council Chambers which went well.

The families of the travelling group has established a fundraising group with their first fundraiser being held at Brook Park (providing Parking and steak sandwiches) This has been reported as going very well. An external fundraising account will be managed independently for any fundraising done.

Chaperones for the trip will be Committee member and registered teacher Jenny Crown and Tuia representative Pianika Waugh. Brian will meet with Pianika to discuss the trip and the role of the Chaperone.

Meetings will be held in the New Year with the students to become more familiar with each other and the chaperones, the customs of the Japanese culture, some of the significant Maori waiata and haka from the Maniapoto area, the history of the Tatsuno and Waitomo District relationship and to consider the gifts to take in preparation for the trip.

To insure the travel dates coincide with the Tatsuno Fire Fly Festival, the intended flight times will be between Tuesday 4th June (departing New Zealand) and Monday 11th June 2019. Tickets will be booked in January 2019 with each student needing to provide payment for this. Janis will make contact with the students to alert them of this over the coming weeks. Brian will send these dates to Akira in Tatsuno to confirm.

Adults

A travelling group of 10 Adults will go to Tatsuno as a part of the 2019 Trip. The priority travel offer will go to the current Sister City Committee members with remaining places entering a ballot process to decide who will travel. A decision of how to advertise and allocate these places will be made in February 2019.

7. Legal Entity

The rules that were sent out to the Committee were agreed to be used in the development of the new entity which will be an Incorporated Society.

A special general meeting will be held with the hope of getting 15 people all prepared to take part in the development of the new legal entity. Each person attending to support the development will need to provide photo identification and proof of address.

The special general meeting will be held at the Te Kuiti Fire Brigade on Thursday 13 December at 5:30pm followed by a Pot Luck Dinner.

The Community Development Coordinator will enquire about timeframes to file and process the Incorporated Society.

8. General Business

Jenny thanked both Janis and Janene for their work in the development of the new entity for the Waitomo Sister City Committee.

9. Next Meeting

The next meeting will be decided at a later date and notified to all members.

Meeting closed at: 4:47pm



CLOWDY NGATAI
COMMUNITY DEVELOPMENT COORDINATOR

Document No: A413249

Report To: Council



Meeting Date: 27 November 2018

Subject: Local Authorities (Members' Interests) Act 1968 – Pecuniary Interests

Type: Information Only

Purpose of Report

- 1.1 The purpose of this business paper is to:
- (a) inform and remind Members of their responsibilities under the Local Authorities (Member's Interests) Act 1968 (the Act) relating to revenue received, by way of contracts or subcontracts, from WDC; and
 - (b) advise of the process to apply to the Office of the Auditor General (OAG) for prior approval, if a Member considers they may exceed the \$25,000 revenue limit in a financial year.

Background

- 2.1 The Act is designed to help protect the integrity of local authority decision-making by ensuring that Members are not affected by personal motives when they participate in local authority discussions and decision-making.
- 2.2 In addition to a Members responsibility to declare any conflicts of interest, and subsequently refrain from participating in discussions and decisions involving that matter before Council, Members also have the responsibility to keep track of any revenue received (by them or a related party) under contracts or subcontracts with WDC.
- 2.3 Section 3(1) of the Act states that (unless prior approval received by the OAG):
- “...no person shall be capable of being elected as or appointed to be or of being a member of a local authority or of any committee of a local authority, if the total of all payments made or to be made by or on behalf of the local authority in respect of all contracts made by it in which that person is concerned or interested exceeds \$25,000 in any financial year.”
- 2.4 “Concerned or Interested” in contracts/subcontracts can either be direct or indirect.
- (a) **Directly** concerned or interested is if the Member is a party to a contract/subcontract;
 - (b) **Indirectly** concerned or interested is if:
 - another person has a contract/subcontract with WDC, and the Member has a personal connection with the person or the Member could benefit from that contract/subcontract. For example, if your spouse/partner is the contracting party, or the contracting party is a family member (child, sibling, parent);

- the Member (and/or partner/spouse) own 10% (together or singularly) of a company or controlling company shares;
- the Member or partner/spouse is a company shareholder and either are managing directors/general managers of the company or controlling company;
- the Member or spouse/partner is a managing director/general manager of the company and either is a shareholder of a controlling company.

2.5 A breach of this section will lead to an automatic disqualification from office, unless a prior approval is granted by the OAG.

Commentary

- 3.1 The revenue limit of \$25,000 is the total value of all contracts combined in one financial year, it is not for each contract, or the amount of profit received by the Member or related party.
- 3.2 If a Member thinks that they may or will exceed the \$25,000 annual limit, they can seek prior approval from the OAG, which is usually valid for a period of 12 months. If a Member is unsure whether they may exceed the financial limit, it would be better to be cautious and obtain prior approval, to mitigate any risk.
- 3.3 The OAG can give approval for a single contract or multiple small contracts (of the same or similar type i.e. day to day purchases of supplies), up to a particular value (or a reasonable estimate).
- 3.4 The OAG requires the existence of a “special case” before prior approval can be granted, which requires a full assessment of the circumstances. The OAG must be satisfied that:
- there is no risk that the Member has received preferential treatment from WDC;
 - the Member has not had undue influence on the decision to award the contract/subcontract;
 - the process in awarding the contract/subcontract was fair and transparent;
 - WDC’s reasons for agreeing to the contract/subcontract are justifiable.
- 3.5 Applications to the OAG must be made prior to the beginning of each financial year (but can be applied for at any time during the year). The attached document provides the information required by the OAG as part of the application. The details relating to any application must be provided in writing to WDC. WDC will in turn complete its part of the information and forward the complete required information to the OAC.
- 3.6 The purpose of prior approval from the OAG is to allow the Member to exceed the \$25,000 financial limit and continue their role as an elected member, it does not permit the Member to be involved in any discussions or decisions relating to the Members contract/subcontract. Please note: if an approved OAG amount is exceeded, the consequences are the same as for exceeding the \$25,000 limit, the Member will be disqualified.

Suggested Resolution

The business paper on Local Authorities (members' Interests) Act 1968 – pecuniary interests be received.



SHARON SCHOU
LEGAL ADVISOR

13 November 2018

Attachment: Elected Members – Application seeking the Auditor-General approval to exceed \$25,000 limit per financial year (s3(3)(a) Local Authorities (Members' Interests) Act 1968 (A413250)

Elected Members - Application seeking Office of the Auditor-General approval to exceed \$25,000 limit per financial year - (s3(3)(a) Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 requires the existence of a 'special case' before prior approval by the Office of the Auditor-General (OAG) can be granted. The OAG must be satisfied that there is no risk that the member has received preferential treatment from WDC or that the member has had undue influence on the contract decision.

The OAG considers whether the process followed by WDC in awarding or agreeing to the contract, is fair and transparent, and whether WDC's reasons for selecting the member (or members spouse/partner/friend/family member etc.) as a supplier, are justifiable.

In the case of a single contract (usually for a larger amount), the following criteria will usually be relevant:

- Has WDC taken all reasonable steps to ensure that all potentially interested parties has an equal opportunity to tender or quote for the contract?
- Has WDC considered and evaluated each of the tenders or quotations, and can justify the supplier choice on the basis of cost, performance, or quality of service?
- Has WDC resolved to accept the contract subject to the OAG approval?
- Do the minutes record that you declared your interest and did not vote or speak in the matter when it was considered at a meeting of WDC?

In the case of multiple contracts for smaller amounts (i.e. arising from day to day purchases of supplies), it will be necessary for WDC to confirm that:

- After due enquiry, WDC has found no alternative satisfactory source of supply or product; or
- The desired source of supply is the most efficient and/or the most competitive on the basis of cost, performance or quality of service.

WDC needs the following information to prepare an application to forward to the OAG:

- the name of the member;
- the names of the parties to the contract – if the member is not a party to the contract, their relationship to the person/company who is the party to the contract;
- the payments to be made under the contract for which approval is sought;
- the duration and nature of the contract;
- the reasons WDC wishes to use the proposed supplier for this work (for instance, how WDC justifies its choice on the basis of, for example, cost, performance, quality, expertise, or experience);
- the process WDC has followed in selecting the proposed supplier (including, for example, whether other potential suppliers were considered or had the opportunity to quote or tender, whether WDC followed its standard procedures for contracts of this type or value, how the proposal was evaluated, and who was involved in making the relevant recommendation or decision);
- whether this is a subcontracting situation where WDC cannot control who the head contractor chooses to use;
- whether the member concerned has had any involvement in any WDC decisions about the contract; and
- whether the member declared an interest and abstained where necessary.

The application must be made in writing and addressed to: Assistant Auditor-General – Legal Office of the Auditor-General, Private Box 3928, Wellington 6140. Telephone: 04 917 1500. Facsimile: 04 917 1549. Email: LAMIA@oag.govt.nz

Document No: A413442

Report To: Council



Meeting Date: 27 November 2018

Subject: Adoption of Draft Procurement Policy 2018

Type: Decision Required

Purpose of Report

- 1.1 The purpose of this Business Paper is to present the revised Procurement Policy for consideration and adoption.
- 1.2 Attached to and forming part of this business paper is a copy of the revised Procurement Policy.

Background

- 2.1 In April 2012, Council adopted a Procurement Policy (PP), the purpose of which is to document clear and robust policy positions on the myriad of considerations and options that exist in and for procurement. The PP was subsequently reviewed, amended and adopted in February 2013 to align with amendments to the Local Government Act 2002.
- 2.2 The Waikato LASS procurement group, which has representatives from each Council, has over the past 6 months, developed a Regional Policy and Framework (Regional Policy) with the aim of providing a consistent unified approach to procurement across the regional Councils. The Regional Policy is still in draft, however, should be finalised in the next few months.

Commentary

- 3.1 The revised PP is substantially the same, the content includes the same core values and principles, it is a more streamlined version of the current PP.
- 3.2 The amendments made to the PP are to align with the soon to be released Regional Policy, and to simplify the document for WDC users, in order to improve usability and compliance. The goal is to have an overarching PP and supplementary procurement guidelines to assist WDC staff with the procedural aspects of the different types of procurement.
- 3.3 The revised PP has two sections, the overarching policy and frameworks. The frameworks provide detail of the processes to follow for each level of spend, which includes flowcharts, a checklist and a step by step guide.

Recommendation

- 4.1 It is recommended that the revised Procurement Policy be adopted to achieve a consistent procurement approach across the regional Councils, and to simplify the document and content to improve understanding and compliance.

Suggested Resolutions

- 1 The business paper on the Procurement Policy 2018 be received.
- 2 The Procurement Policy 2018 be adopted as amended.



Vibhuti Chopra
GROUP MANAGER – CORPORATE SERVICES

15 November 2018

Attachment: Draft Procurement Policy 2018



DRAFT
PROCUREMENT POLICY
2018

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Original Created:	April 2012	adopted April 2012
Review Dates:	November 2012	adopted February 2013
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Responsibility	Corporate Services	
Policy Number	A413484	

1.0 Purpose

The purpose of this Policy is to ensure that Waitomo District Council (WDC) has clear guidance on how its procurement activity should be undertaken at all levels. It provides the “rules” within which WDC will operate. WDC’s expectation is that anyone who is undertaking procurement activity on behalf of WDC will abide by the rules, and if they are unclear then guidance should be sought.

The Principles will ensure that WDC upholds the integrity of its procurement and set a clear expectation of what is required when any person within WDC makes a financial commitment on behalf of WDC.

The framework and any additional guidance documentation will assist to provide a consistent approach to all procurement within WDC. It is to support the end user to select the appropriate procurement process having regard to the level of spend and risk, and then to work through that process with confidence and consistency, regardless of whether the end user is a full-time procurement practitioner or not. In addition, this document sets out how to determine whether or not to utilise an All of Government, Regional or Syndicated contracts.

This document will make it clear for suppliers, WDC employees and authorised third parties on WDC’s expectations when procuring third party goods, services and/or works. It ensures that spend is planned out and creates well executed third party solutions that minimise risk and maximise value for all involved.

2.0 PROCUREMENT CORE PRINCIPLES

1. GET BEST VALUE FOR MONEY

- Account for all costs and benefits over the lifetime of the goods, services and/or works.
- Make sure that public funds are utilised most effectively.
- Be clear on the scope of the requirements to avoid disappointment or dispute.
- Make sure all risks, not just commercial, are considered before making any final commitment.
- Be clear in how the bids are evaluated so that the process is fair and transparent.
- Be fair to all suppliers throughout the full procurement lifecycle.
- Work with the supplier to develop opportunities to make savings and improvements.
- Be responsible for the outcomes of the deal that is agreed.

2. PLAN AND MANAGE FOR SUCCESS

- Make sure that you need to undertake the procurement and then plan how to get the best outcome.
- Make sure you follow the right procurement process - if in doubt go for the higher level approach.
- Get Procurement or your Procurement Lead involved early to create the best outcomes.
- Consider the sustainability of the region, social responsibility and value to the community.
- Take time to understand the market.
- Be responsible for managing the health and safety requirements throughout the life of the contract.
- Support the suppliers through right-sized contract management and support.

3. FIT FOR PURPOSE PROCUREMENT

- Make sure that the process and the contracts are fit for purpose both in content and size.
- Consider the benefits of national, regional or local procurement dependant on the value it will bring and the availability of each.
- Make sure you understand the ethical nature of the procurement.
- Seek support if proposed contractual changes materially change the contract.

4. KEEP THE INTEGRITY THROUGH CONTROLS

- The controls within the procurement process are there to protect employees, supplier and the public - follow them.
- The Procurement Policy is not stand alone - ensure you understand your requirements in other policies as well (e.g. Delegated Authorities).
- Always ensure there is appropriate segregation of responsibility.
- Highlight any conflicts of interest so that everyone has transparency on any relationships.
- Always keep a record of the procurement activity undertaken so that there is clarity, ownership and accountability.

5. PLAY BY THE RULES

- Adhere to and own the Regional Procurement Principles, Policy and Framework.
- Make sure everyone acts responsibly, legally, ethically and with integrity.
- Stay impartial throughout the procurement process.
- Protect suppliers' commercially sensitive information and intellectual property.
- Be respectful of the process, the people and the outcomes.
- Strive to ensure everyone wins.

These Principles apply to anyone (employee or authorised third party) committing funds on behalf of WDC with a supplier regardless of how big or small; complex or straight forward; or open or closed the transaction(s) may be.

3.0 Policy

3.1 Overview

This Procurement Policy is designed to provide all employees and authorised third parties with clarity and guidance over the purchase of goods, services and/or works required to support business delivery. This Policy is designed to ensure that WDC obtains best whole-of-life value for the goods, services and/or works that it purchases from, and to maintain the highest ethical standards in dealing with, its suppliers. Value includes but is not limited to price, quality, sustainability and service.

3.2 Application

This Policy applies to all employees and authorised third parties committing expenditure on behalf of WDC on In Scope spend.

3.3 In Scope

This Policy applies to the commitment of all funds by employees or authorised third parties on behalf of WDC with the exception of property-related expenditure.

Examples of expenditure to which this Policy applies include:

1. Operational Expenditure – Goods, Services and/or Works required to support the day-to-day running of WDC.
2. Material Outsourcing Arrangements – involves WDC entering into an agreement with another party (supplier) to perform, on a continuing basis, a business activity which currently is, or could be, undertaken by WDC itself.
3. Supplier Panels – where employees can purchase against pre-agreed rates and conditions of contract.
4. Consultancy Expenditure – involves the use of professional service providers to obtain advice and/or support relating to an area of specific expertise.
5. Project and Capital Expenditure – involves WDC entering into an agreement on a one-off basis with another party (supplier) to provide an agreed specific set of outcomes aligned to a project or capital outlay.
6. NZTA Subsidised Arrangements – provides NZTA subsidised services obtained through the NZTA procurement process (NB: as documented, the financial limits and procedures prescribed in the NZTA Procurement Manual will apply if NZTA standards are higher than those set by WDC).

3.4 Policy Objectives

The objectives of this Policy are to provide clear direction and support to management, employees and authorised third parties in relation to the performance of procurement activities in line with the Procurement Principles and establishes a decision framework that ensures:

- **Adherence** – all procurement is required and is undertaken in accordance with the Procurement Policy and all other associated WDC Policies and Strategies;
- **Openness** - all procurement is made in an open and transparent manner with full and fair opportunity for all eligible suppliers;
- **Fairness** - all procurement is carried out in a fair manner and decisions are made with impartiality and without bias;
- **Integrity** - all WDC employees and/or authorises third parties undertaking procurement do so ethically, equitably and with behavioural standards of the highest levels;
- **Value for Money** – all procurement considers the costs and benefits over

the life of the goods, services and/or works;

- **Risk** – all procurement considers the risks (commercial and otherwise) and ensures these are managed appropriately;
- **Lawfulness** - all procurement is within the law and meets WDC’s legal and organisational obligations;
- **Accountability** - employees and/or authorised third parties and suppliers are accountable for their performance; and
- **Sustainability** - all procurement is environmental and socially sustainable wherever possible, having regard to economic, environmental, and social impacts over their lifecycle.

3.5 Contract Hierarchy

Once the requirement to spend has been established, the first consideration should be whether or not there are All of Government (AOG) contracts, Regional or Syndicated contracts available for use.

If there are AOG, Regional or Syndicated contracts available, it is likely that the benefits from these will outweigh the potential local benefits due to the economies of scale “buying power” available.

A review of these options should be undertaken, and where the contract meets the requirements, it is advisable for WDC to sign up to these rather, than pursue a local procurement strategy.

3.6 Spend Limits & Authorisations

Any employee wishing to make a purchase on behalf of WDC needs to be aware from whom within the organisation they must get approval, before making the commitment.

Appropriate authorisation must be obtained prior to ordering goods, services and/or works. The authorising signatory is certifying that they have reviewed the transaction and all related documentation, and that it conforms to WDC policy and goals, as well as applicable laws.

An authorising signatory should not both initiate and approve the same transaction. In no circumstances will an authorising signatory approve payments of any kind to themselves.

Any employee purchasing on behalf of WDC must ensure that they follow the correct procurement process based on the spend level and risk threshold. In all cases, when determining the correct procurement process, the spend level to be considered is the aggregate (combined) spend over the life of the contract and relates to the total spend on a project.

For example:

1. for a maintenance agreement of \$50k per annum with a three-year term the total spend is \$150k, and the procurement process for spend of a level of \$150k should be applied;
2. the procurement planning for a project with multi-disciplines, such as refurbishment of a building, may require a builder - \$100k, electrical work - \$100k, HVAC work - \$75k and plumbing - \$50k: the procurement process for spend of a level of over \$150k should be applied for the aggregated spend, although it is accepted that as part of the procurement process WDC may decide to go out for individual tender processes for each of these services separately.

3.7 Preferred Suppliers

Wherever possible, employees should direct all goods, services and/or works purchases through these preferred supplier contracted arrangements. A list of all AOG, Regional / Syndicated and local preferred suppliers is available and should be reviewed before any commitment is made.

There may be occasions when employees will notice cheaper alternatives to these contracted arrangements. Employees should be aware that these contracts have been arranged with the overall benefit to WDC in mind. Overall quality, performance, and whole-of-life-cost have been considered when selecting the suppliers.

Note: Whether utilising preferred or non-preferred suppliers, the correct procurement process must be applied. As the contract and commercial negotiations have been completed in advance, the process for using preferred suppliers is far less time consuming. However, if there is a need to vary the existing terms or pricing (where there is an increase in cost) outside of the agreed contract, the supplier should then be treated as a non-preferred supplier and the non-preferred supplier process applied.

A supplier who has pre-qualified under WDC approved HSE system and/or process, is not automatically a preferred supplier. A preferred supplier will have also been through a commercial process and have a contract in place.

3.8 Procurement Processes

Where an employee or authorised third party is looking to make a purchase they need to follow the appropriate procurement process. The processes have been separated to take into consideration the potential costs and risks to WDC.

Cost – these are the total costs expected for the life of the contract and should include any contingencies or on-going costs. It is the aggregate of all the costs that should be used to determine the correct procurement process to follow.

Risk – these are the risks, their likelihood, the ability to mitigate the risks and the consequences to WDC should the risk occur. This should take into consideration all types of risk including, but not limited to, commercial, operational and reputational risk.

3.9 Values

The different levels and requirements that relate to the procurement process are as follows:

1. Procurement under \$50,000 and considered low or medium risk requires:
 - a. 1 quote where a preferred supplier is utilised or spend is under \$5,000 with one-up approval in writing; or
 - b. 3 quotes where a non-preferred supplier is utilised and spend is over \$5,000 and up to the Financial Delegation Register Limit; or
 - c. Over the Financial Delegation Register Limit and up to \$50,000, a Business Paper to Tenders Sub-Committee.
2. Procurement between \$50,000 and \$150,000 and considered either low or medium risk requires:
 - a. a Business Paper and Procurement Plan to Tenders Sub-Committee, and
 - b. an Invited RFx (Closed Tender) process to be used as signed off in the Procurement Plan.
3. Procurement over \$150,000, or any high-risk procurement, regardless of dollar value requires:
 - a. a Business Paper and Procurement Plan to Tenders Sub-Committee, and
 - b. a Public RFx (Open Tender) process, as signed off in the Procurement

Plan.

4. Where a contract is subject to a New Zealand Transport Authority (NZTA) subsidy, the financial limits and procedures prescribed in the NZTA Procurement Manual will apply, if the standards are higher than those set by WDC.

Note: These are the minimum requirements pertaining to undertaking procurement activity for example, more suppliers than the minimum can participate.

3.10 Procurement Exemption

The process for the relevant level identified above should be followed fully. If deviation from the process is required, the reason for the deviation should comply with one or more of the following criteria:

1. **Monopoly situation:** Where there is a monopoly situation and only one Supplier capable of supplying the requirements (e.g. engaging an arrangement for the supply of electricity on a network where the network is owned by a single party); or
2. **Proprietary technology:** Where a Supplier is the sole Supplier and/or patent holder of a specific product that is required by WDC. WDC must be satisfied that the proprietary technology is the most appropriate for the needs of WDC; or
3. **Benefits and costs of competition:** The time and costs of a competitive process outweigh the benefits of competition; or
4. **Unique business proposition:** Where a Supplier has a unique business proposition that can minimise risks or costs to WDC. This could include existing knowledge relevant to a project; or
5. **Existing contract:** If goods, services and/or works are in addition to, or necessary for the completion of, delivery of an existing contract, provided that the original contract was publicly advertised, and a change of Supplier cannot be made for economic, technical, legal or practical reasons.

The key requirement is the direct appointment represents best value for WDC. Poor planning or organisation of procurement is not justification for deviation from the framework. In all instances a procurement exemption must be signed off by the Tenders Sub-Committee.

3.11 Emergency Procurement

In an emergency it may be necessary to dispense with parts of the procurement process so that WDC can react quickly to unforeseen events.

Emergency procurement should be used only in genuinely unforeseen circumstances.

Poor planning or organisation of a procurement does not justify dispensing with parts of this Policy.

In the context of this Policy an emergency is defined as an event which results in:

1. Employees, public, supplier, property or equipment being placed in immediate risk;
2. Standards of health, welfare or safety having to be re-established without delay;
3. The significant impairment of WDC's delivery if WDC failed to respond promptly; or
4. A declared or undeclared response to an 'emergency' as defined in the Civil Defence and Emergency Management Act 2002.

Emergency procurement should be limited to what is required to cope with the emergency.

Emergency procurement must be authorised by employees with the appropriate financial delegation as soon as practicable following the purchase.

3.12 Roles and Responsibilities

Employees and authorised third parties are responsible for ensuring the purchasing, tendering and contract process is carried out in line with the Procurement Principles, Policy and Framework (and any other Council policies and procedures), by those who have the delegated authority to make procurement decisions.

All Contracts and Purchase Orders are to be authorised by the appropriate delegated authority prior to the commitment of funds.

Employees and/or authorised third parties are responsible for ensuring all contract information is uploaded on the WDC Electronic Document Management System, including all quotes or full RFx information.

Whenever WDC awards a contract, a suitably skilled employee or authorised third party must be appointed to manage the contract. The person identified to manage the contract is responsible for ensuring that what has been agreed in the contract is delivered, on time, to the appropriate quality standards, and within the agreed price. It requires the employee to actively track and monitor delivery and costs, manage risks and manage the supplier relationship throughout the contract.

3.13 Corporate Purchasing Card Policy

Where it is established that there is a regular requirement to purchase items for a cost centre to carry out their normal functions, WDC should consider arranging a preferred supplier contract. For more information regards eligibility, use, and reconciliation of expenditure please refer to the Credit Card Policy and Fuel Card Policy (or similar Policy) and Procurement Card Guide.

3.14 Conflicts of Interest

Conflicts of interest are circumstances where the exercise of an employee's duties or responsibilities to WDC with regards to their dealings with suppliers, could be, or might be perceived to be, influenced by some other interest that the employee may have. The other interest might exist because of:

- the employee's own financial affairs;
- a relationship or other role that the employee has (or has had); or
- something that the employee has said or done.

Employees and/or authorised third parties who believe they may have a conflict must disclose the conflict to the appropriate person(s) in a timely manner. For more information on identifying and managing conflicts of interest, employees should refer to WDC's Conflicts of Interest and Declarations Policy (or similar Policy).

3.15 Confidentiality

WDC is committed to fair and ethical business practices that encourage competition and enhances our supplier relationships. A cornerstone of this Policy is maintaining the confidentiality of all supplier proposals, quotations, prices, contracts and other proprietary materials by all employees and authorised third parties. Confidential information is not to be disclosed in any way to other suppliers, outside organisations, or to any unauthorised persons, subject to the provisions of LGOIMA (Local Government Official Information and Meetings Act, 1987).

Disclosure of confidential information is not only professionally unethical and damaging to WDC's negotiations with suppliers, it also exposes WDC to possible reputational risk or legal action. If you have any questions about any request to provide information concerning contracts, pricing, supplier proposals or other internal information, please discuss with your Manager in the first instance.

3.16 Monitoring of compliance with this Policy

The prime responsibility for the on-going monitoring of compliance with this Policy rests with the General Manager – Corporate Services.

When there is evidence of a breach of this Policy, WDC will investigate to determine the circumstances and extent of the breach.

3.17 Breaches of Policy

Any breaches of this Policy must be notified to the relevant WDC Manager and appropriate WDC personnel will manage the incident and take action (which may include escalation).

3.18 Related Policies

All related policies can be found in the Relevant Policies and Legislation Guide.

3.19 Further information

For further information please contact the Procurement Officer.

4.0 Definitions

Definition	Detail
Approved Contract Sum	is the sum total, exclusive of GST, of any individual agreement, purchase requisition, purchase order, disbursement, payment authorisation certificate, or payment made to a Supplier over the full term of the contract, including rights of renewal.
Approved Supplier	is a supplier set up and approved for use in WDC's financial system.
Confidentiality Agreement	This is the Agreement between the parties and their employees to keep confidential all information pertaining to the Agreement, except where required to divulge by law.
Conflict of Interest	There is a conflict of interest where an employee or an elected member's duties or responsibilities to WDC could be affected, or perceived to be, by some other interest or duty that an employee or an elected member may have.
Contingency	An amount allowed for in the Approved Contract Sum to take into account either foreseen but unquantifiable requirements or unforeseen circumstances. Sum of money to be spent only as a Variation or site instruction on approval by WDC.
Contract	as used in this Policy shall mean any and all contracts, agreements, memoranda of understanding (or agreement), letters of agreement, or any other document which purports to be binding upon WDC as generally defined in the Contracts Enforcement Act 1975 - Including any subsequent extensions, renewals, or modifications to a Contract.
Delegated Authority	The person with the authority to approve the total Contract commitment over its entire term. The entire term includes the initial term plus any renewal periods contemplated at the commencement of the contract. Delegated Authority is completed by signature or electronic signoff within WDC's finance systems. All non-electronic signatures must be accompanied by the printed name, position of the Delegated Authority as well as the date of signatory.
Direct Appointment	is a supplier selection method that involves the negotiation of a contract with a single Supplier.
Invited RFx (or Closed Tender)	Limited numbers of Tenderers' are invited to submit a tender without public advertisement of Contract. Where the value of the contract is <\$150,000.00, selected Suppliers who satisfy the required criteria are invited to put forward a submission. It is recommended a minimum of three (3) Suppliers should be invited.
LGOIMA	The Local Government Official Information and Meetings Act, 1987 to which the WDC must adhere.
NZTA	New Zealand Transport Authority
P-Card / Procurement Card	Purchasing Card. A WDC credit card or fuel card used by certain positions as required. Purchases for goods and services which are approved by Financial Delegated Authority.
Preferred Supplier	are suppliers that have been put in place with a formal Contract for the supply of a category of goods, services or works for a period of time (i.e. Supplier Panel Agreement). This is not a guarantee of work to the supplier.
Procurement Exemption	is the exemption required to be signed authorising the continuation with the procurement activity outside of the Procurement Policy.
Procurement Plan	is the detailed plan outlining how the procurement activity will be carried out.
Procurement Policy	is the Policy which provides guidance on how procurement activity is conducted.
Purchase Order	Legal document for purchase of goods, services or works issued from WDC following approval by the relevant Delegated Financial Authority. Terms and conditions are governed by WDC's Purchase Order terms and conditions.
Public RFx (or Open Tender)	A publically advertised RFx (Request for Quotation, Request for Expression of Interest, Request for Proposal or Request for Tender) that any party may respond to.
RFx	A generic abbreviation that covers all 'Request for' "processes" (Request for Quotation, Request for Expression of Interest, Request for Proposal or Request for Tender). Specifies what WDC wishes to purchase, the terms and conditions plus instructions on how to bid and respond.
Supplier	The person or organisation responsible for the supply of goods, services or works as required to WDC. Also known as vendor, contractor, consultant or service provider.
Syndicated Procurement Contract	Syndicated procurement is when a Government agency or Local Body contracts with a Supplier on behalf of other entities. This can lead to economy of scale advantages for WDC.
Variation	written changes to the scope, price or term of a Contract.

THE WDC PROCUREMENT FRAMEWORKS

The procurement frameworks have been developed to accommodate the different levels and complexity of spend within WDC's portfolio. They have been 'sized' to enable the most efficient process to be undertaken having considered the cost and risk associated with the procurement.

After ensuring that the spend is necessary, yet prior to choosing the methodology, it is important to determine whether there are acceptable AOG, Regional or Syndicated contracts available that should be used rather than undertaking a local process.

If it has been determined that the process is to be managed locally then the decision has to be made on which of the three processes should be used:

Value under \$50,000 & Low or Medium Risk

Procurement under \$50,000 and considered low risk – procurement requirements:

- Up to \$5000 AND - (low value, low risk)	A. ONE written quote; AND B. One-up approval in writing.
- Over \$5000 <u>up to</u> Financial Delegation Register Limit; AND - (low value, low risk)	A. At least THREE quotes (unless a valid reason for not doing so exists and has been approved by Group/General Manager); AND B. A Memo to the relevant General/Group Manager/ Manager for approval.
- Over Financial Delegation Register Limit; AND - <u>Up to</u> \$50,000; AND - (low-med value/low-med risk)	A. Business Paper to the Tenders Sub-Committee.

Value between \$50,000 and \$150,000 & Low or Medium Risk

Procurement between \$50,000 and \$150,000 and considered either low or medium risk – procurement requirements:

- Over \$50,000; AND - <u>Up to</u> \$150,000; AND - (low-medium value/low-med risk)	A. Business Paper to Tenders Sub-Committee; AND B. Procurement Plan
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Invited RFx (Closed Tender) process to be used as signed off in the Procurement Plan. On certain occasions it may be a requirement for direct appointment, in which case a Procurement Exemption would be sought as part of the process.

Value over \$150,000 & Low or Medium Risk or all High Risk

Procurement over \$150,000 and considered either low, medium or high risk, or any high-risk procurement, regardless of dollar value – procurement requirements:

- Over \$150,000 OR - (high value/high risk)	A. Business Paper to Tenders Sub-Committee; AND B. Procurement Plan
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Public RFx (Open Tender) process should be used as signed off in the Procurement Plan. On certain occasions it may be a requirement for direct appointment, in which case a Procurement Exemption would be sought as part of the process.

Note: These are the minimum requirements pertaining to undertaking procurement activity, for example, more suppliers than the minimum can participate.

When considering the right procurement framework to use, the spend value should equate to the total spend and cover the life of the contract.

For example:

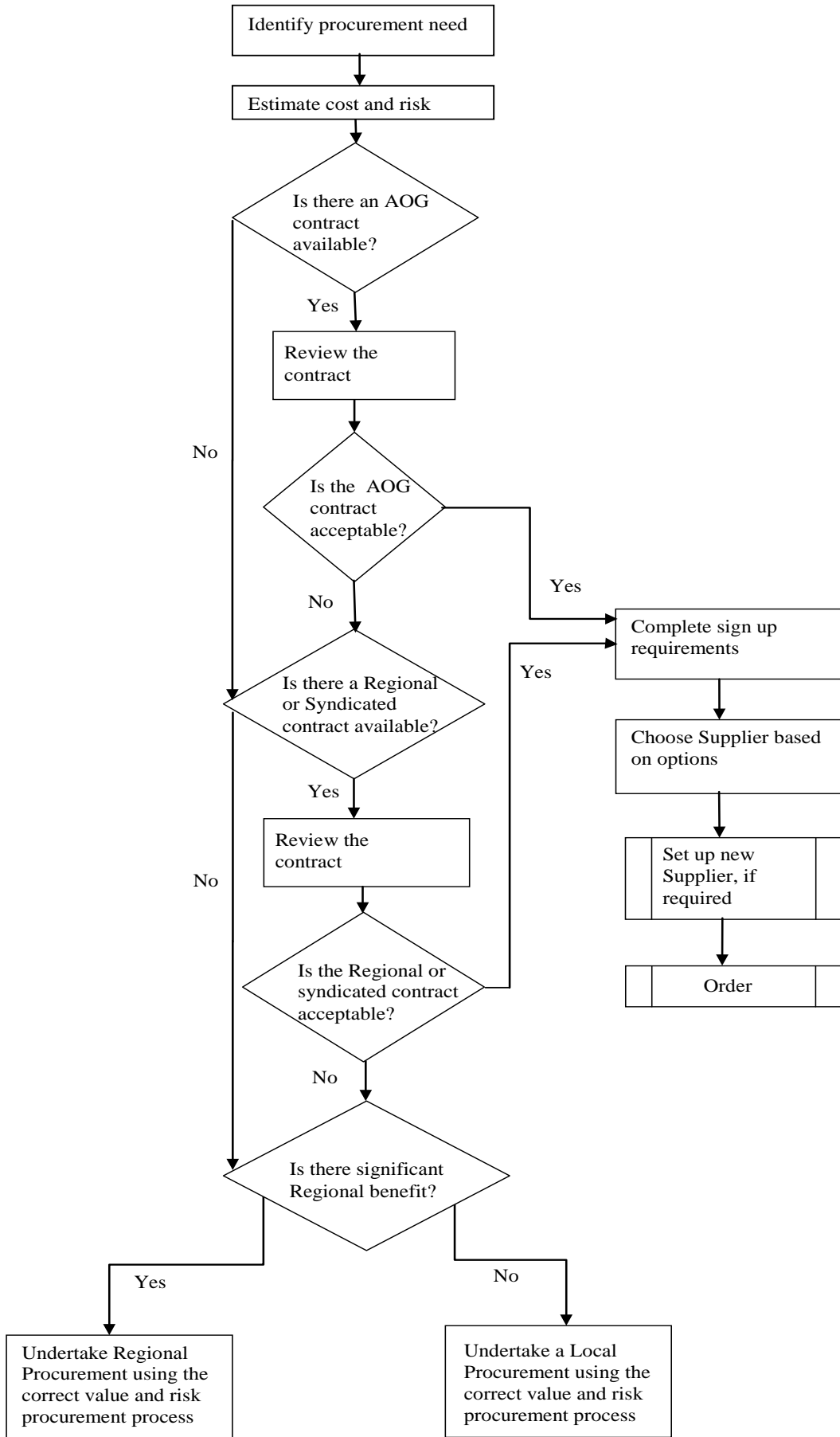
- if a building project is being undertaken the spend across all disciplines should be aggregated to assess the spend level, not by individual discipline, although the resulting procurement strategy may determine that the go to market strategy is by discipline.
- if it is a maintenance contract, spend over the life of the maintenance agreement should be aggregated to assess the spend level.
- if Supplier Panels are being developed, the total spend for the category should be considered regardless of whether it is likely to be split across multiple suppliers.

Below are flowcharts, checklists and step-by-step guides for:

- determining whether to use an AOG, regional, syndicated or local process; and
- the process for each spend threshold.

Note: The most effective local processes have been highlighted in green and the decision points in red.

DETERMINING WHETHER TO USE AN AOG, REGIONAL OR LOCAL PROCESS



DETERMINING WHETHER TO USE AN AOG, REGIONAL OR LOCAL PROCESS- STEP BY STEP GUIDE

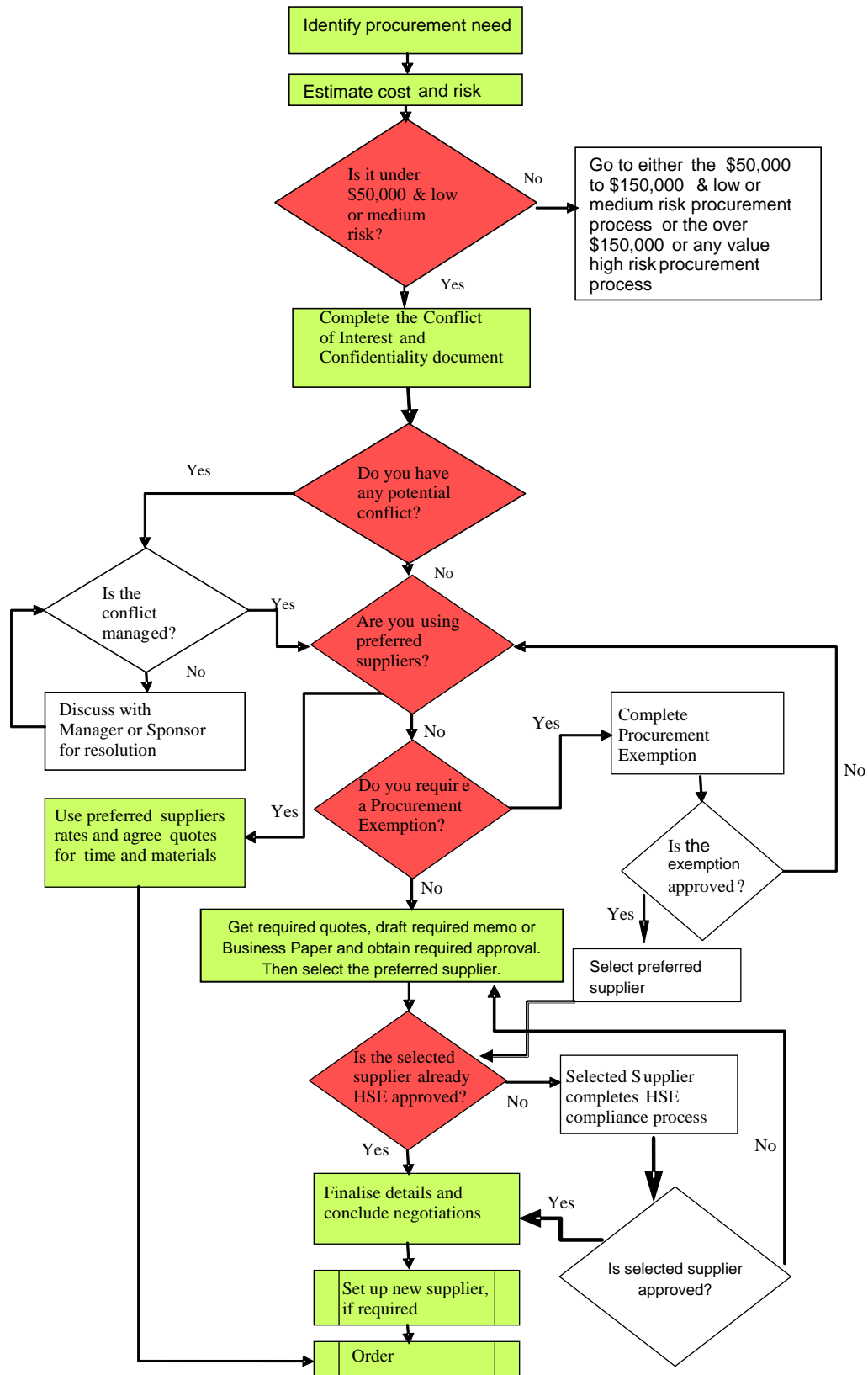
Step	Description	Guiding Information
1.	Procurement Need	Prior to undertaking any procurement, the need for procurement should be established. To ensure that the correct goods, services and/or works are received by WDC, it is important to understand what is required. These requirements need to be clearly articulated with the suppliers to enable them to effectively offer goods, services and/or works. Upon completion of the procurement process these must be recorded in the contract or on the requisition.
2.	Estimate Cost and Risk	Once the need is clearly defined, the person leading the process needs to estimate the cost and risk. The cost should be the full cost of the procurement as defined in the Procurement Policy, and the risk needs to be considered in line with WDC or Waikato LASS risk thresholds. This will then provide guidance as to the correct procurement process to follow.
3.	AOG Contracts	Is there an All of Government (AOG) contract available for use? If there is then this should be reviewed to determine if it provides the goods, services and/or works required. If it does then this method should be utilised. If it does not, then go to Step 6.
4.	AOG Sign Up	Request the documentation required to sign up to the AOG contract, if it is unclear on where to get the documentation or how to fill the information in then contact either your local or regional procurement expert or the MBIE Procurement team for guidance. Once completed submit all of the information.
5.	AOG Supplier Selection	Upon inclusion into the AOG contract, if there is a choice of supplier, assess the most suitable provider, ensure that they meet the HSE requirements for the Council, and go to step 10.
6.	Regional / Syndicated Contracts	If there is no AOG contract, identify whether there is a Regional or Syndicated Contract, if there is then assess that it meets the requirements of the procurement, if it does, utilise the Contract if not, go to step 9.
7.	Regional / Syndicated Contracts Sign Up	Request to join the contract with the contract owner. This will be either Waikato LASS or one of the other Councils in the region. They will vary the contract to allow for your inclusion. Discuss and agree your requirements with the Supplier, go to step 10.
8.	Regional or Syndicated Benefit Realisation	If there is no Regional or Syndicated Contract, assess whether it would be beneficial to set one up. Review this with the other council's procurement leads. If there is agreement by all or a significant proportion of the Councils then agree who will lead the process, select the appropriate procurement process based on threshold and risk detailed within the frameworks and execute.
9.	Local Procurement	If there is no appetite or need for a Regional Contract, undertake a local procurement process. Utilise the methodology for choosing the correct procurement process based on threshold and risk detailed within the frameworks and follow the appropriate procurement process.
10.	Supplier Set Up	If the chosen Supplier is a new supplier, <u>after</u> they have met the HSE requirements of the Council, ensure that they are set up on the system. Once this is completed or if they are already on the system go to Step 11.
11.	Order	Award the contract and / or provide a Purchase Order detailing the goods, services and/or works to be supplied. Inform the unsuccessful suppliers and provide the opportunity for feedback, if required. Ensure all Procurement information is correctly filed.

PROCUREMENT CHECKLIST

Checklist to ensure all required information has been completed (NB: green boxes are required and the red are not):

Required Documents / steps	Under \$50k & Low/Medium Risk	Between \$50k & \$150k & Low/Medium Risk	Over \$150k & Low / Medium Risk or any High Risk
Estimate of total cost for the life of the agreement			
Conflict of Interest forms			
Confidentiality forms			
Procurement Plan			
Scope			
Quote template			
RFX documents			
Draft contract			
Evaluation documents			
Notes to tenderers template			
Bid receipt form			
Evaluation report			
Approval to proceed to negotiation form			
HSE confirmation			
Supplier insurance information			
Final contract			
Letters to unsuccessful tenderers			
Recommendation / Approval form(s)			
Supplier details for new supplier set up			
Purchase Order			
Contract management plan			
Escalation process			
Contract variation form			
Procurement timetable			
Conflict of Interest resolution plan			
Preferred supplier agreements			
Procurement Exemption			
Risk review			
Market & supplier analysis			
Category strategy			
Evaluation guidelines			
Evaluation scoring sheet			
Negotiation strategy			
Legal contract review			
Transition plan			
KPI review meeting agenda			
Annual review meeting agenda			
Termination letter			

PROCUREMENT UNDER \$50,000 & LOW OR MEDIUM RISK

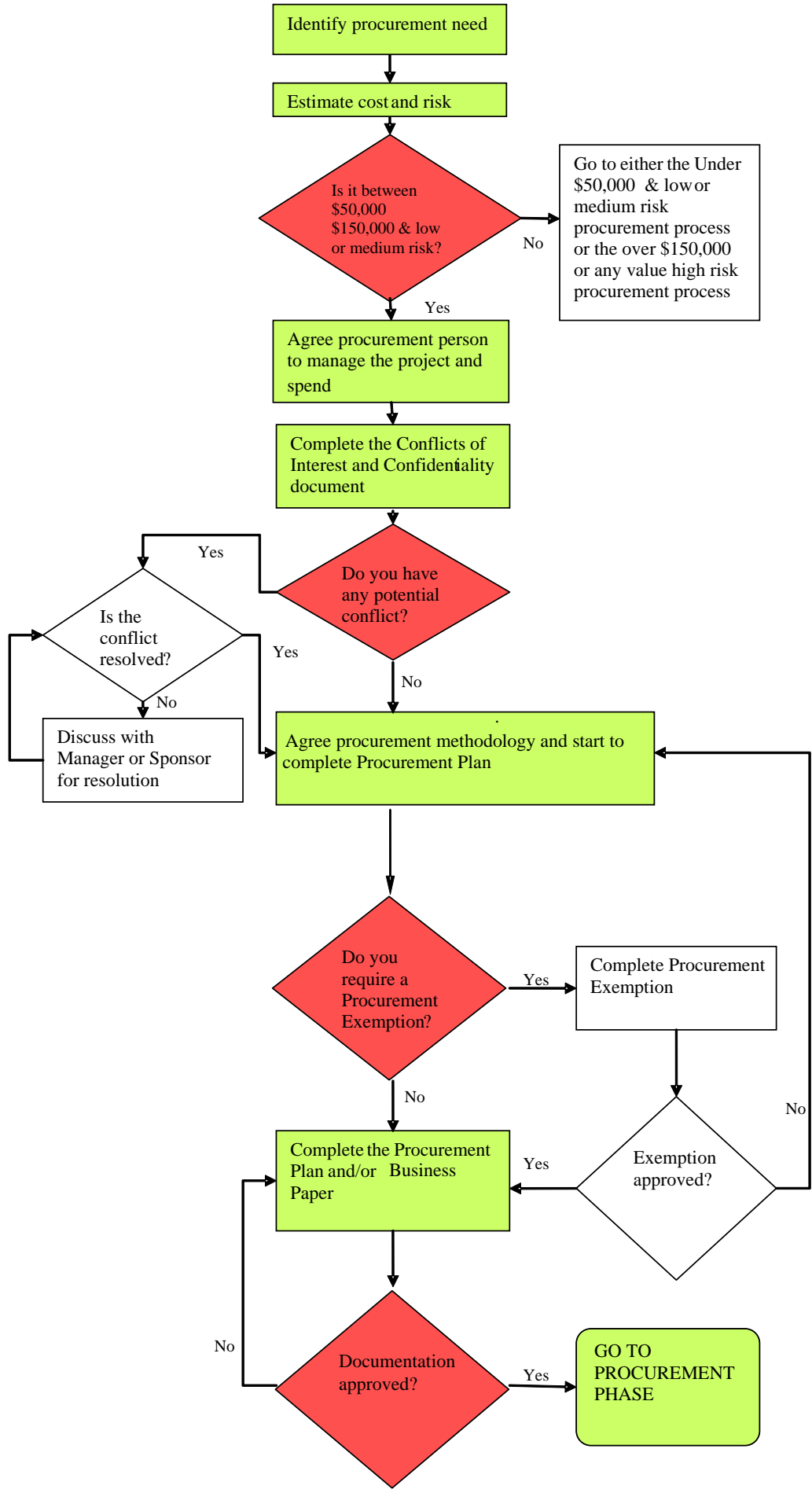


63 PROCUREMENT UNDER \$50,000 & LOW OR MEDIUM RISK STEP BY STEP GUIDE

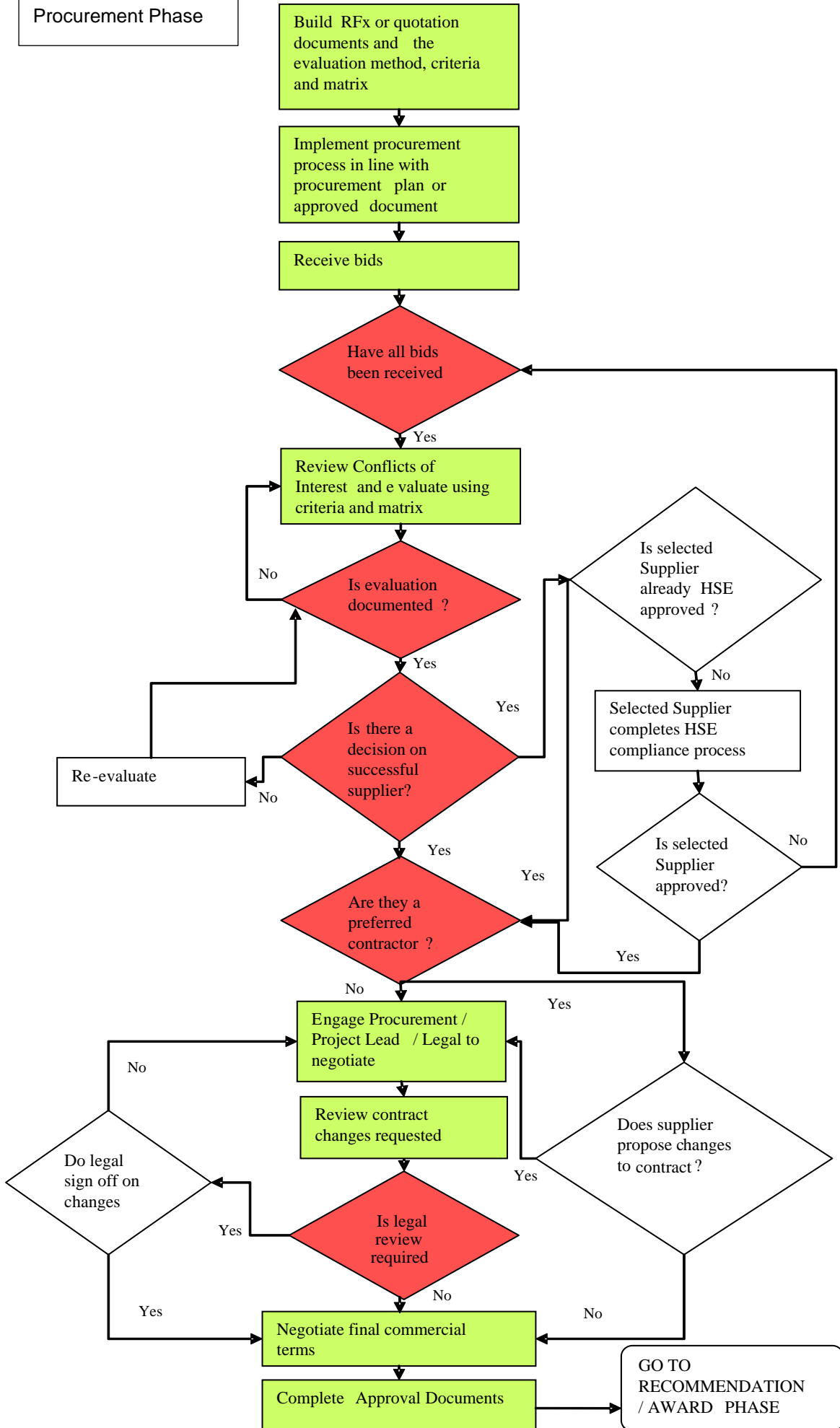
Step	Description	Guiding Information
1.	Procurement Need	Prior to undertaking any procurement, the need for procurement should be established. To ensure that the correct goods, services and/or works are received by WDC, it is important to understand what is required. These requirements need to be clearly articulated with the suppliers to enable them to effectively offer goods, services and/or works. Upon completion of the procurement process these must be recorded in the contract or on the requisition.
2.	Estimate Cost and Risk	Once the need is clearly defined, the person leading the process needs to estimate the cost and risk. The cost should be the full cost of the procurement as defined in the Procurement Policy, and the risk needs to be considered in line with WDC or Waikato LASS risk thresholds. This will then provide guidance as to the correct procurement process to follow.
3.	Correct threshold	Ensure that the total value is below \$50,000 and either a low or medium risk, if it is not then go to either the \$50,000 to \$150,000 and low or medium risk step by step guide or the over \$150,000 and low or medium risk or any spend which is high risk step by step guide.
4.	Conflict of Interest and Confidentiality	Complete the WDC Conflicts of Interest and Confidentiality template(s). If there is no conflict of interest, go to step 6.
5.	Conflict of Interest resolution	If there is a Conflict of Interest, discuss this with your Line Manager or the Delegated Authority / Sponsor for this spend and agree a plan for managing the Conflict. NB this may include removal of the individual from the procurement process if it could materially impact the outcome or produce a potential conflict for the individual or any supplier(s) involved.
6.	Preferred Suppliers	Are you using Preferred Suppliers? (Preferred Suppliers are defined in the Procurement Policy Glossary of Terms). If you are, go to step 7, if you are not using a Preferred Suppliers, go to step 9.
7.	Using Preferred Suppliers	Ensure that the Preferred Suppliers are contracted to perform the services. Undertake the works or supply the goods that you require, if they are not go, to step 9.
8.	Time and Materials Supplier rates	The Preferred Supplier rates may already be established if they are then get the supplier to provide time and materials quotes so that you can assess the total cost, if the rates are not already provided get the supplier to provide these as well. Ensure that the supplier is prepared to carry out the work under their existing contract if they are go to step 18, if they are not, go to step 9.
9.	Procurement Exemption	If you are not going to comply with the Procurement Policy requirements for this level of spend, complete a Procurement Exemption form. If you are complying with Procurement Policy, go to step 12. NB: this is designed to support the rationale for going outside of the general procurement process and where there is legitimacy to this the procurement exemption provide support to the procurer.
10.	Procurement Exemption Sign Off	Once the Procurement Exemption is complete it needs to be assessed and signed off by the Tender Sub-Committee.
11.	Exemption approval	If the procurement exemption is approved, go to step 12. If the procurement exemption is not approved go back to step 6 and reassess the suppliers to be engaged.
12.	Quoting process	For spend under \$50,000 it is likely that a quoting process will be utilised, ensure that you receive the required number of quotes in line with the Procurement Policy. If you are not going to receive the required number of quotes, go to step 9, unless you have an approved Procurement Exemption. Ensure that you have clearly articulated what you require so that all of the suppliers have adequate information to provide you with a full quote. It is preferable that the quotes are requested in writing, however if these are requested verbally ensure that the responses are in writing or that you have documented these and that they are clearly detailed in the Purchase Order.
13.	Receiving quotes	Ensure that you have received all of the quotes before you make a final decision, if you have evaluate, make a decision and, go to step 14.
14.	HSE	At the time of requesting quotes, it is essential to establish whether the supplier(s) are HSE approved, if they are, go to step 16.
15.	HSE approval process	If the supplier(s) are not HSE approved outline the requirements to be approved to the supplier. If required, utilise the HSE team / expert to provide assistance in explaining the requirements to the supplier(s). It is acceptable to allow them to quote and undertake the full HSE approval process if they are successful, but this <u>must</u> be completed prior to the award of the contract or the raising of the Purchase Order. If the supplier will not undertake the HSE approval process or does not gain approval, then go back to step 12 if you have other quotes you can consider or, step 6 if you have no other quotes to consider.
16.	Finalising Arrangements	Complete the final commercial negotiations. Include any final technical negotiations in this process and ensure that HSE approval has been attained and any Insurance Certificates required have been received.

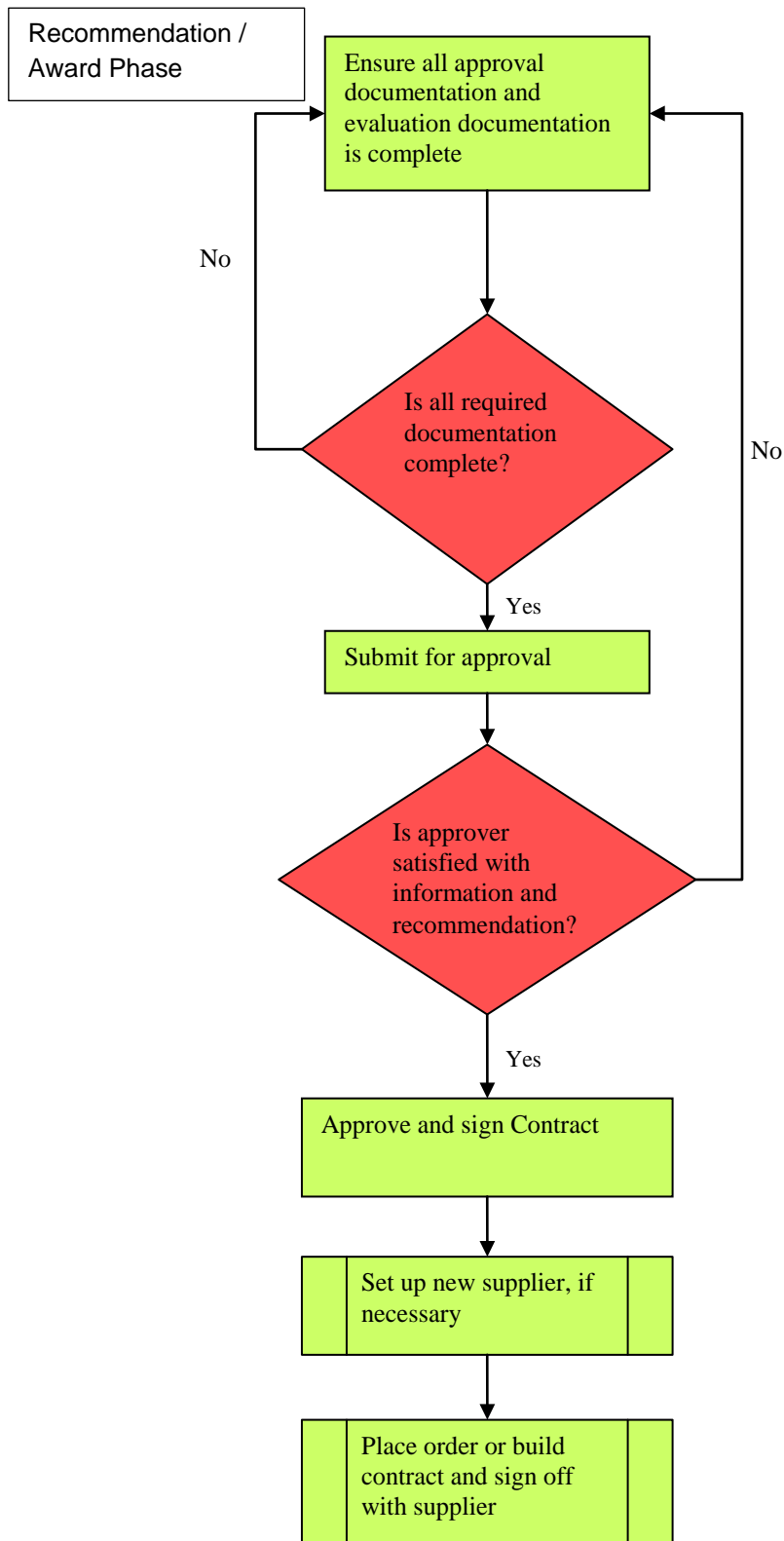
Step	Description	Guiding Information
17.	Supplier Set Up	If the chosen Supplier is a new supplier, <u>after</u> they have met the HSE requirements of WDC, ensure that they are set up on the system. Once this is completed or if they are already on the system go to Step 18.
18.	Order	Award the contract and/or provide a Purchase Order detailing the services to be provided, the works to be undertaken and/or the goods to be supplied. NB: No work should commence before the contract is signed or Purchase Order sent or before the Insurance and HSE requirements are completed. Inform the unsuccessful suppliers and provide the opportunity for feedback, if required. Ensure all Procurement information is correctly recorded and filed.

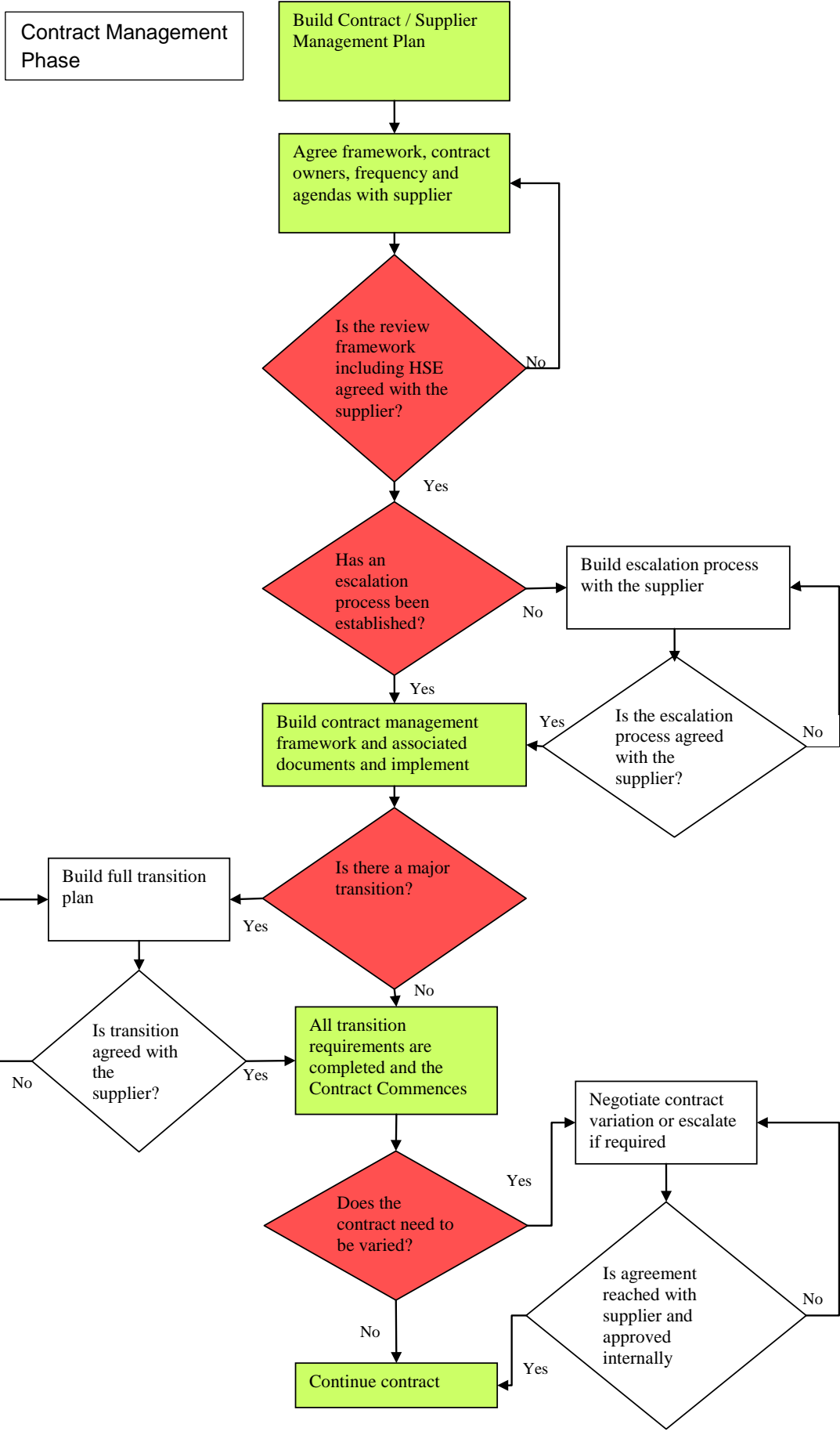
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PROCUREMENT BETWEEN \$50,000 AND \$150,000 & LOW OR MEDIUM RISK



Procurement Phase







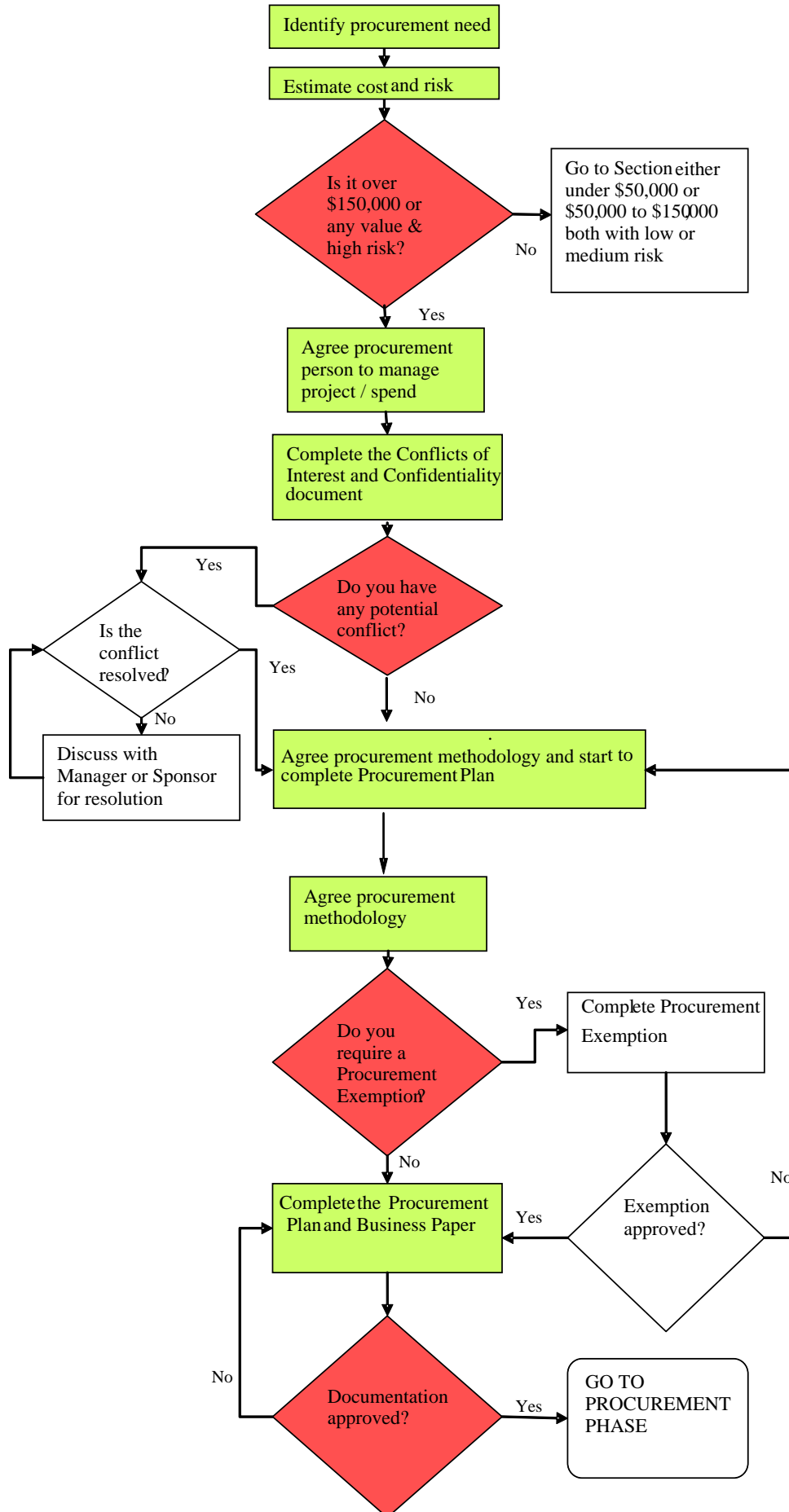
PROCUREMENT BETWEEN \$50,000 AND \$150,000 & LOW OR MEDIUM RISK STEP BY STEP GUIDE

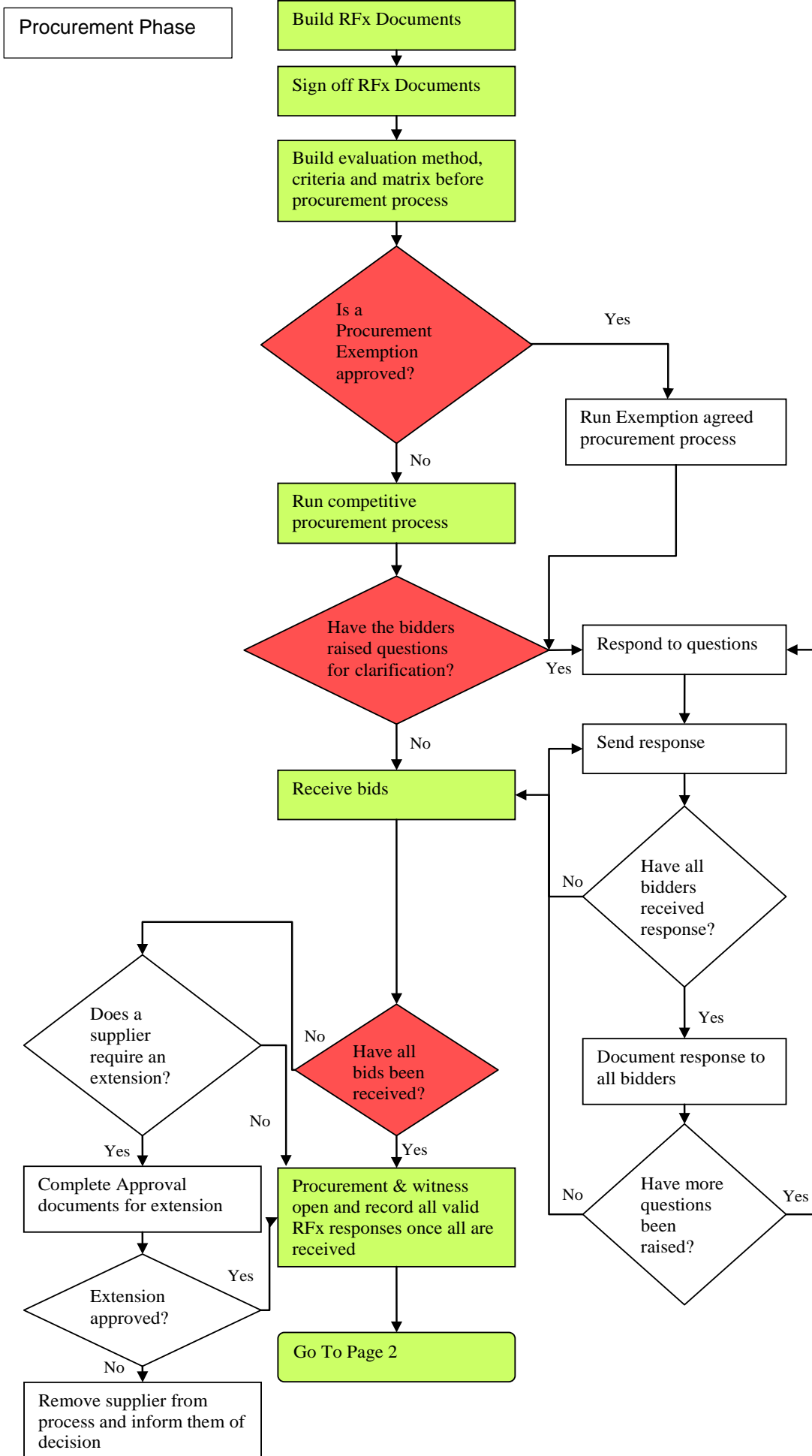
Step	Description	Guiding Information
1.	Procurement Need	Prior to undertaking any procurement, the need for procurement should be established. To ensure that the correct goods, services and/or works are received by WDC, it is important to understand what is required. These requirements need to be clearly articulated with the suppliers to enable them to effectively offer goods, services and/or works. Upon completion of the procurement process these must be recorded in the contract or on the requisition.
2.	Estimate Cost and Risk	Once the need is clearly defined, the person leading the process needs to estimate the cost and risk. The cost should be the full cost of the procurement as defined in the Procurement Policy, and the risk needs to be considered in line with WDC or Waikato LASS risk thresholds. This will then provide guidance as to the correct procurement process to follow.
3.	Correct Threshold	Ensure that the total value is between \$50,000 and \$150,000 and either a low or medium risk, if it is not then go to either the below \$50,000 and low or medium risk step by step guide or the over \$150,000 and low or medium risk or any spend which is high risk step by step guide.
4.	Procurement Lead	Establish who is going to lead the Procurement process and be responsible for completing all of the procurement documentation
5.	Conflict of Interest and Confidentiality	Complete WDC's Conflicts of Interest and Confidentiality template(s). If there is no conflict of interest, go to step 7.
6.	Conflict of Interest resolution	If there is a Conflict of Interest, discuss this with your Line Manager or the Delegated Authority / Sponsor for this spend and agree a plan for managing the Conflict. NB: this may include removal of the individual from the procurement process if it could materially impact the outcome or produce a potential conflict for the individual or any supplier(s) involved.
7.	Procurement Methodology	For spend between \$50,000 and \$150,000 you may decide to utilise a quoting process or an RFx process, ensure that you receive the required number of quotes or bids in line with the Procurement Policy. If you are not going to receive the required number of quotes or intend to use an invited RFx process you will need to complete a Procurement Exemption as part of this process. Ensure that you have clearly articulated what you require so that all of the suppliers have adequate information to provide you with a full quote. It is preferable that the quotes are requested in writing, however if these are requested verbally ensure that the responses are in writing or that you have these documented and clearly detailed in the Purchase Order.
8.	Procurement Plan	If there is a Business Case or Project Plan that covers all the required procurement applicable to this level of spend in the Procurement Plan then this can be substituted for the Procurement Plan (for clarity comply with all sections relating to Procurement Plan using your alternate document). Otherwise complete the Procurement Plan sections applicable to this threshold of spend in the Procurement Plan, to assist a suite of tools have been developed in WDC procurement templates.
9.	Preferred Suppliers	Are you using Preferred Suppliers? (Preferred Suppliers are as defined in the Procurement Policy Glossary of Terms). If you are, go to step 10, if you are not using a Preferred Suppliers, go to step 12.
10.	Using Preferred Suppliers	Ensure that the Preferred Suppliers are contracted to perform the services. Undertake the works or supply the goods that you require, if they are not go, to step 12.
11.	Time and Materials Supplier rates	The Preferred Supplier rates may already be established if they are the get the supplier to provide time and materials quotes so that you can assess the total cost, if the rates are not already provided get the supplier to provide these as well. Ensure that the supplier is prepared to carry out the work under their existing contract if they are go to step 31, if they are not, go to step 12.
12.	Procurement Exemption	If you are not going to comply with Procurement requirements for this level of spend or if you intend to use an invited tender process complete a Procurement Exemption form. If you are complying with the Procurement Policy, go to step 15. NB: this is designed to support the rationale for going outside of the general procurement process and where there is legitimacy to this the procurement exemption provide support to the procurer.
13.	Procurement Exemption Sign Off	Once the Procurement Exemption is complete it needs to be assessed and signed off by the Tenders Sub-Committee.
14.	Procurement Exemption Approval	If the Procurement Exemption is approved, go to step 15. If the Procurement Exemption is not approved, go back to step 7 and reassess the suppliers to be engaged.
15.	Procurement Plan Approval	Upon completion of the Procurement Plan this should be approved by the Tenders Sub-Committee.
16.	Build Procurement Documents	Depending on whether a quoting or an RFx process is being utilised, build the appropriate documents to enable you to go to market for either quotes or formal responses. Ensure that you build in sufficient negotiation time and flexibility. This should also include providing a draft contract where appropriate, requested changes can then be marked up by the supplier as part of their submission. (NB: It is often good to add this in as a weighted criterion in the evaluation, especially as this can minimise their requested changes to those which are material).
17.	Build Evaluation Documents	Prior to going to market it is important to develop and sign off the evaluation criteria and methodology, what the weightings are and the panel who will be evaluating the responses (this should include both technical and commercial reviews).

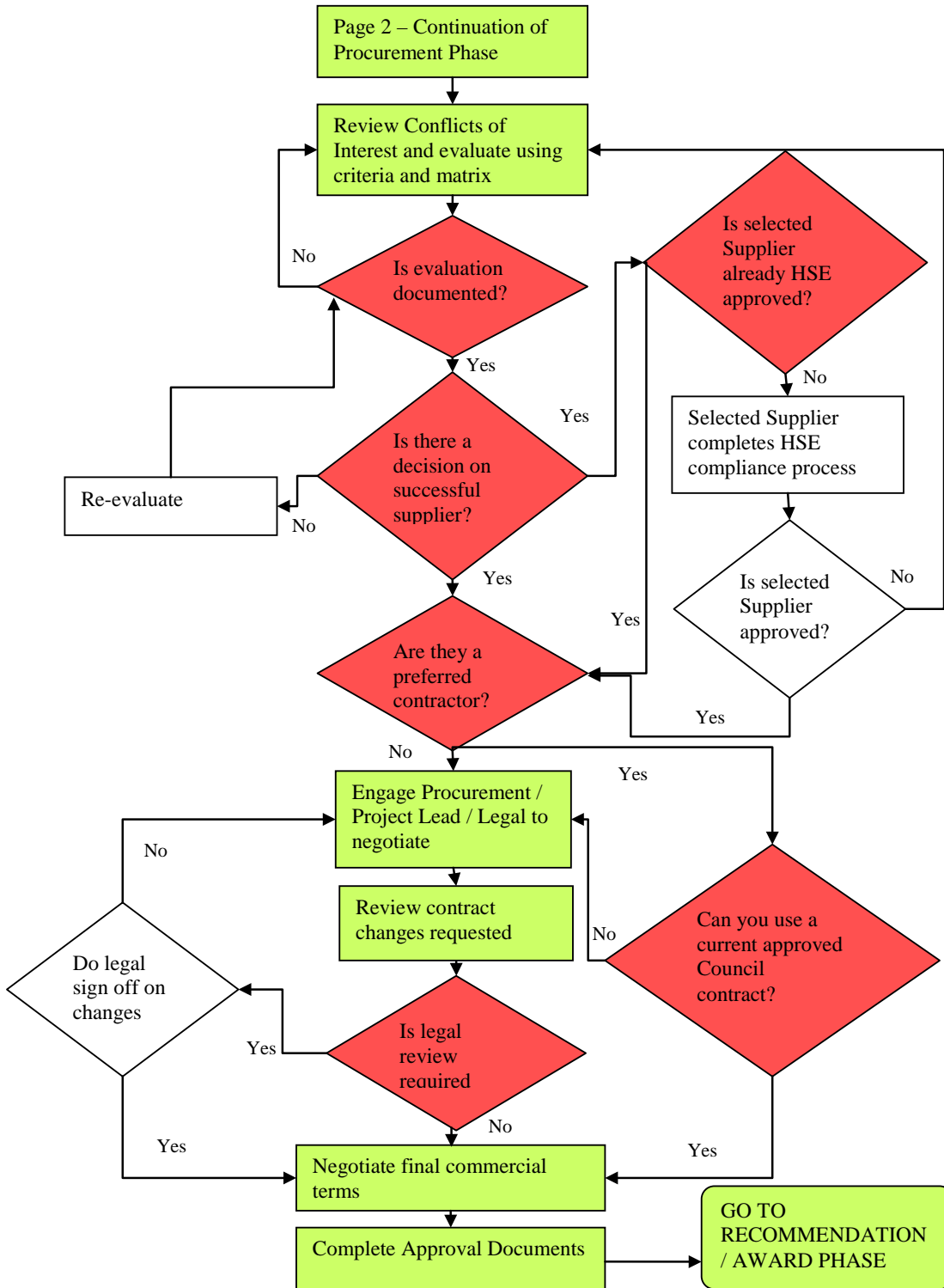
Step	Description	Guiding Information
18.	Go To Market	<p>Once all the documents have been completed (and if required, signed off). The Procurement Lead should go to market, this may be a direct process if a quoting methodology is used, or an invited or an open tender process if an RFx process is being used. If an open process is being used it is important that you follow WDC requirements and use the correct system (TenderLink or GETS).</p> <p>Ensure that your process provides for an adequate amount of time for the suppliers to respond. This will ensure that you get the most complete and well developed responses from the suppliers.</p> <p>Ensure that you have clearly articulated how you want the documentation provided (paper, memory stick, electronically), where the information is to be sent to, the number of copies and any specific splits (such as non-commercial copies for technical only evaluators).</p> <p>Ensure that there is also a clear deadline for submissions, regardless of whether you run a quoting or RFx process so that all suppliers are working to the same rules and timelines.</p>
19.	Quote or RFx Questions	<p>If any supplier seeks clarification on anything to do with the Procurement Documents, the question and response should be shared with all other bidders in writing.</p> <p>The only exception to this is if the information requested by the supplier is of a personal nature to their bid / quote, the Procurement Lead should then decide whether this information should be kept proprietary or shared with all bidders and inform the supplier prior to answering the question. In the event the information would be shared the supplier should make a final decision on whether they want the question answered or whether they want to withdraw the question (this is likely if they feel it would have a detrimental impact on their bid / quote).</p>
20.	Bid Receipting	<p>All bids / quotes should be received by the deadline. Any supplier bid which is late must be approved by the person with delegated authority. WDC should only extend the deadline if there is a significant reason for allowing an extension of time (e.g. a significant change or addition to the scope).</p> <p>No bids / quotes should be opened prior to the deadline, if these are being received electronically, they should not be reviewed, however they can be printed ready for the deadline.</p> <p>All bids or quotes should be registered. If paper copies are provided / printed these should be initialled and witnessed at the time of opening and recorded on the bid opening sheet. If electronic copies are to be utilised these should be recorded on the bid opening sheet.</p>
21.	Evaluation	<p>The evaluation panel established in step 17, now undertake the evaluation subject to no further Conflicts of Interest being identified. Ensure that the right documentation is received by each evaluator (e.g. if they are undertaking a technical only evaluation do not provide the commercial documentation). Provide a timeline for the panel to feedback their evaluations.</p> <p>Upon completion of the individual evaluations the Procurement lead may bring the evaluation team together to go through the evaluations and collate the results with the team (this is useful if you want a deep understanding of their rationale, often used on technically complex or large scale tenders) or collate the results and feed back to the team (this is less time consuming and often used on straight forward tender processes).</p> <p>It is important that the evaluation team are on board with the final decision. Therefore there should be an opportunity to challenge and review the results of the evaluation to ensure that the correct decision is being made.</p> <p>At this point all appropriate due diligence should also be undertaken as part of the evaluation process.</p>
22.	Evaluation Sign Off	<p>It is important that all of the evaluators sign off on the evaluation, process, results and final decision prior to proceeding. If this cannot be agreed the results should be escalated for a final decision.</p> <p>If there is a requirement for any other sign off of the evaluation prior to proceeding, this should be undertaken at this stage.</p>
23.	Supplier Selection	<p>Advise the selected supplier of their selection and the intention to enter into formal negotiations, do not advise the other bidders of being unsuccessful at this stage as you still need to complete the negotiation process.</p>
24.	HSE	<p>At the time of requesting quotes, it is essential to establish whether the supplier(s) are HSE approved, if they are go to step 26.</p>
25.	HSE Approval Process	<p>If the supplier(s) are not HSE approved outline the requirements to be approved to the supplier. If required, utilise the HSE team / expert to provide assistance in explaining the requirements to the supplier(s).</p> <p>It is acceptable to allow them to bid or quote and undertake the full HSE approval process if they are successful, but this <u>must</u> be completed prior to the award of the contract or the raising of the Purchase Order.</p> <p>If the supplier will not undertake the HSE approval process or does not gain approval, then go back to step 21 if you have other quotes you can consider or, step 7 if you have no other quotes to consider.</p>
26.	Negotiation Preparation	<p>Identify the negotiating person or team.</p> <p>Review the tender documentation and establish the technical and commercial points of negotiation.</p> <p>Review the contract and identify any changes requested by the supplier.</p>
27.	Legal Team Review	<p>Where there are significant changes to contract ensure the Legal Team undertake a review of the changes.</p> <p>If you are unsure whether they are significant ask the Legal Team to advise.</p>
28.	Legal Team Sign Off	<p>If the Legal Team sign off the changes, go to step 29.</p>

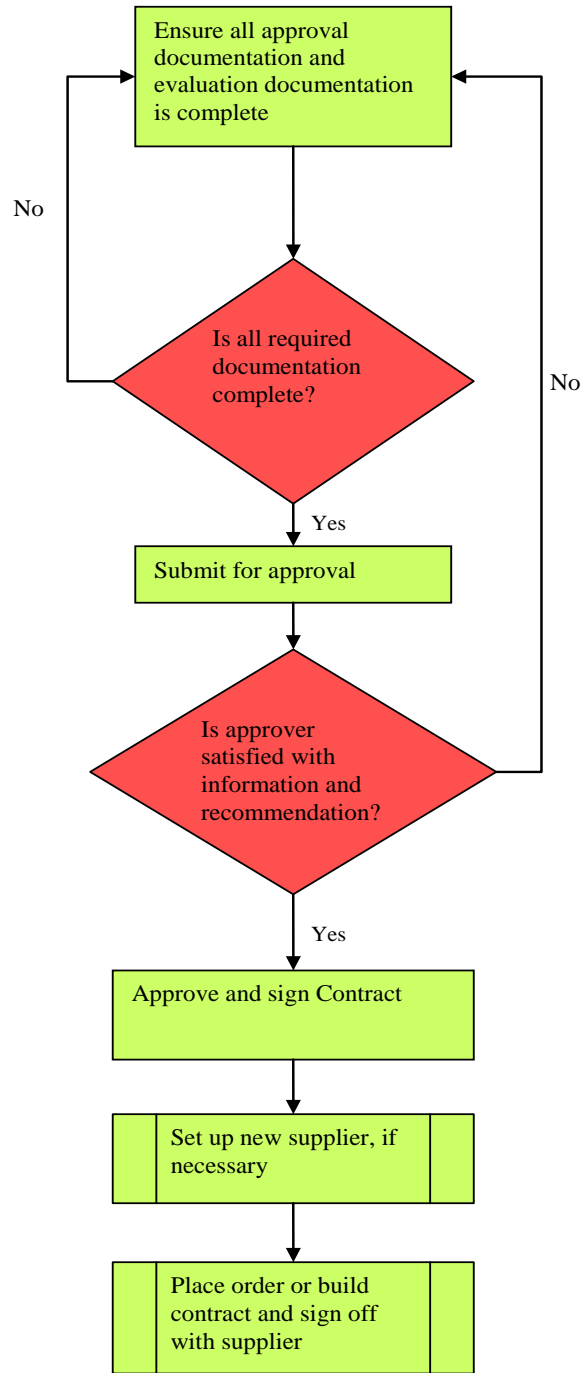
Step	Description	Guiding Information
		If the Legal Team do not sign off the changes negotiate the terms in line with the Legal Team's guidance and, go to step 29. If all aspects of the contractual negotiations are not agreed escalate for resolution, if resolution is successful, go to step 29. If resolution cannot be reached, go to step 21 and reconsider the supplier to be selected.
29.	Commercial Negotiation	Complete the final commercial negotiations. Include any final technical negotiations in this process and ensure that HSE approval has been attained and any Insurance certificates required have been received. If all aspects are agreed by the parties, go to step 30. If all aspects are not agreed escalate for resolution, if resolution is successful, go to step 30. If resolution cannot be reached, go to step 21, and reconsider the supplier to be selected.
30.	Complete Recommendation to Award Documentation	Ensure all of the Procurement Plan, Evaluation Documentation and all Approval Documentation is completed.
31.	Approval process	Submit for final approval to the Delegate Authority holder or the designated person with the delegation provided to them.
32.	Final Approval	If approval is given, go to step 33. If approval is not given either: a. if additional approval information is required, go to step 30; b. if additional evaluation is required, go to step 21; c. if the process is to be run, go to step 7; or d. end the process and inform all Suppliers of the decision not to proceed.
33.	Supplier Set Up	If the chosen Supplier is a new supplier, <u>after</u> they have met the HSE and Insurance requirements of WDC, ensure that they are set up on the system. Once this is completed or if they are already on the system go to Step 34.
34.	Order	Award the contract and / or provide a Purchase Order detailing the services to be provided, the works to be undertaken and/or the goods to be supplied. NB: No work should commence before the contract is signed or Purchase Order sent or before the Insurance and HSE requirements are completed. Inform the unsuccessful suppliers and provide the opportunity for feedback, if required. Ensure all Procurement information is correctly recorded and filed.
35.	Contract / Supplier Management	Assess the need for on-going contract management and the level required, if there is no need for Contract / Supplier Management (e.g. one off purchase), go to Step 37.
36.	Contract / Supplier Management Framework	Agree the required Contract / Supplier Management with the supplier; this should include all documents, reports, meetings and HSE requirements to be produced or attended, their frequency and the owner.
37.	Escalation Process	Agree with the supplier an escalation process for both commercial and technical issues, and go to step 38, or if it has been established in step 35 that there is no need for Contract / Supplier Management (e.g. one off purchase), go to Step 39.
38.	Contract / Supplier Management Framework	Build the framework based on the agreed documentation in Step 36.
39.	Transition	Determine whether there is a transition plan required. If not, go to Step 42.
40.	Transition plan	Create a full transition plan with the supplier; this should take into consideration timeframes, operational issues / challenges associated with the change, resources and employee awareness requirements.
41.	Transition	Undertake transition and complete process.
42.	Contract Commencement	Commence contract on the agreed start date.
43.	Contract Variations	During the life of the contract, if the contract needs to be varied identify the variation required and negotiate / agree with the supplier.
44.	Variation approval	Seek approval to vary contract from the Delegated Authority budget holder. If agreed write variation to contract, sign off with supplier, get authorised WDC sign off, implement and file variation with the other procurement documentation. If not agreed, go to step 45 and continue the contract, or, step 37 to escalate.
45.	Continuance	Continue Contract in line with agreed Contractual Terms.

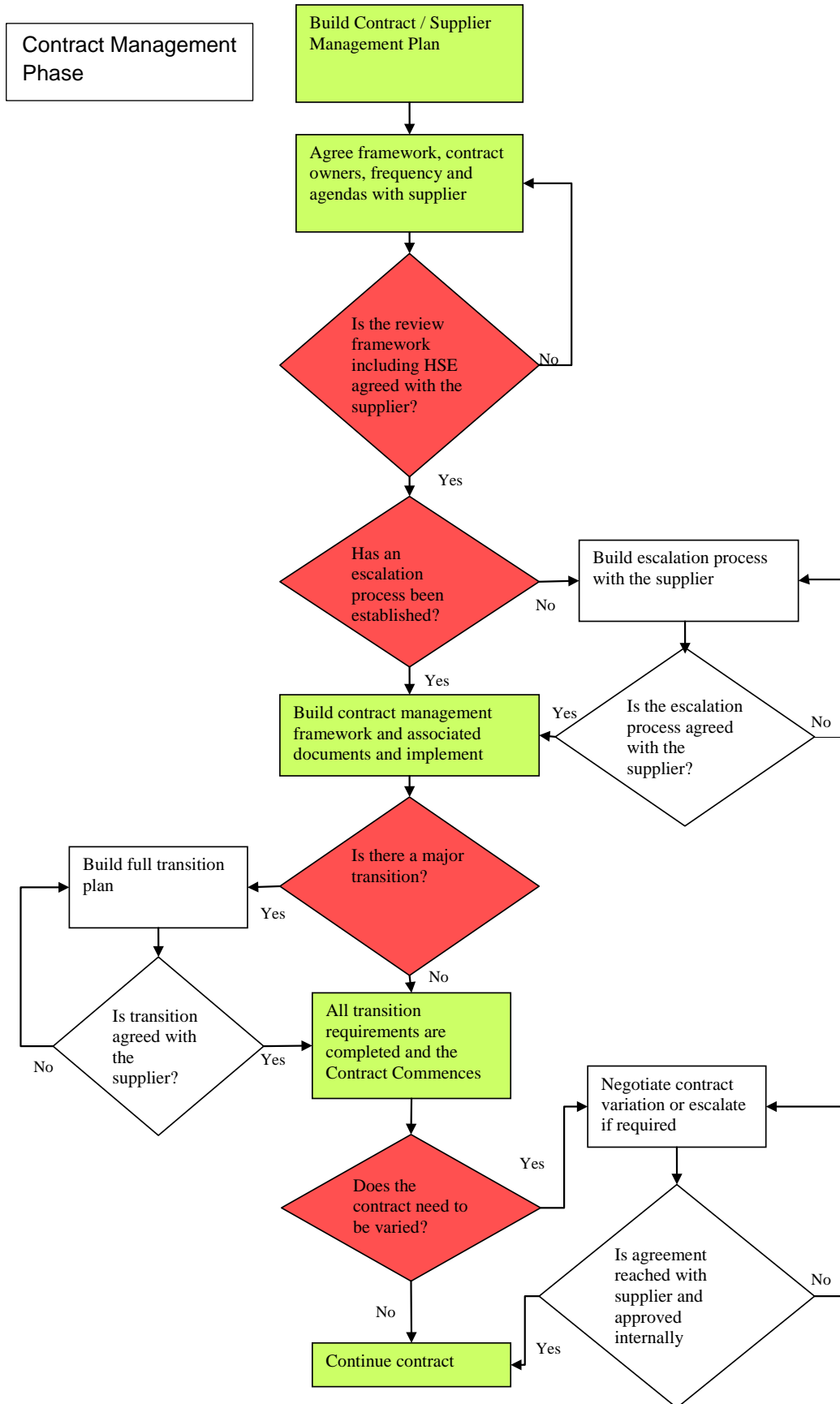
PROCUREMENT OVER \$150,000 & LOW OR MEDIUM RISK OR ANY VALUE WITH HIGH RISK











PROCUREMENT OVER \$150,000 & LOW OR MEDIUM RISK OR ANY VALUE WITH HIGH RISK STEP BY STEP GUIDE

Step	Description	Guiding Information
1.	Procurement Need	Prior to undertaking any procurement, the need for procurement should be established. To ensure that the correct goods, services and/or works are received by WDC, it is important to understand what is required. These requirements need to be clearly articulated with the suppliers to enable them to effectively offer goods, services and/or works. Upon completion of the procurement process these must be recorded in the contract or on the requisition.
2.	Estimate Cost and Risk	Once the need is clearly defined, the person leading the process needs to estimate the cost and risk. The cost should be the full cost of the procurement as defined in the Procurement Policy, and the risk needs to be considered in line with WDC or Waikato LASS risk thresholds. This will then provide guidance as to the correct procurement process to follow.
3.	Correct Threshold	Ensure that the total value is over \$150,000 and low or medium risk or any spend which is high risk, if it is not then go to either the below \$50,000 and low or medium risk step by step guide or \$50,000 to \$150,000 and low or medium risk step by step guide.
4.	Procurement Lead	Establish who is going to lead the Procurement process and be responsible for completing all of the procurement documentation
5.	Conflict of Interest and Confidentiality	Complete your WDC's Conflicts of Interest and Confidentiality template(s). If there is no conflict of interest, go to step 7.
6.	Conflict of Interest Resolution	If there is a Conflict of Interest, discuss this with your Line Manager or the Delegated Authority / Sponsor for this spend and agree a plan for managing the Conflict. NB: this may include removal of the individual from the procurement process if it could materially impact the outcome or produce a potential conflict for the individual or any supplier(s) involved.
7.	Procurement Methodology	For spend over \$150,000 or high risk you will be running an RFX process unless otherwise approved via a procurement exemption (NB an invited RFX process will require approval via an exemption), ensure that you receive the required number of bids in line with the Procurement Policy. If you are not going to receive the required number of quotes you will need to complete a Procurement Exemption as part of this process. Ensure that you have clearly articulated what you require so that all of the suppliers have adequate information to provide you with a full submission. Or provide them with the opportunity to develop a response based on their experience if you do not have clarity, detail or believe that they are best placed to provide this. Also consider whether you want to run a one or two stage process, if you expect a large amount of responses it may be preferable to run an EOI process ahead of the RFX to shortlist the tenderers to an acceptable level.
8.	Procurement Plan	If there is a Business Case or Project Plan that covers all the required procurement applicable to this level of spend in the Procurement Plan then this can be substituted for the Procurement Plan (for clarity comply with all sections relating to Procurement Plan using your alternate document). Otherwise complete the Procurement Plan sections applicable to this threshold of spend in the Procurement Plan, to assist a suite of tools have been developed in the WDC Procurement Toolkit.
9.	Procurement Exemption	If you are not going to comply with Procurement Policy requirements for this level of spend or if you intend to use an invited tender process complete a Procurement Exemption form. If you are complying with Procurement Policy, go to step 15. NB: this is designed to support the rationale for going outside of the general procurement process and where there is legitimacy to this the procurement exemption provide support to the procurer.
10.	Procurement Exemption Sign Off	Once the Procurement Exemption is complete it needs to be assessed and signed off by the Tenders Sub-Committee.
11.	Procurement Exemption Approval	If the Procurement Exemption is approved, go to step 12. If the Procurement Exemption is not approved, go back to step 7 and reassess the suppliers to be engaged.
12.	Procurement Plan Approval	Upon completion of the Procurement Plan this should be approved by the Tenders Sub-Committee.
13.	Build Procurement Documents	Depending on whether a quoting or an RFX process is being utilised, build the appropriate documents to enable you to go to market for either quotes or formal responses. Ensure that you build in sufficient negotiation time and flexibility. This should also include providing a draft contract where appropriate, requested changes can then be marked up by the supplier as part of their submission. (NB: It is often good to add this in as a weighted criterion in the evaluation, especially as this can minimise their requested changes to those which are material).
14.	Procurement Document Review	Prior to going to market it is advisable to get an independent review of the documents. This does not need to be an external review, but by ensuring that somebody with knowledge who has not been involved putting the tender documents together reviews the documents enables you to have an impartial view on them and identify any gaps or issues that the supplier may face before they arise.
15.	Build Evaluation Documents	Prior to going to market it is important to develop and sign off the evaluation criteria and methodology, what the weightings are and the panel who will be evaluating the responses (this should include both technical and commercial reviews).
16.	Go To Market	Once all the documents have been completed (and if required, signed off). The Procurement Lead should go to market, this may be a direct process or an invited tender process if a Procurement Exemption has been approved or an open tender.

Step	Description	Guiding Information
		<p>If a Procurement Exemption approved process is being used then follow the agreed methodology.</p> <p>If an open process is being used it is important that you follow WDC requirements and use the correct system (TenderLink or GETS).</p> <p>Ensure that your process provides for an adequate amount of time for the suppliers to respond. This will ensure that you get the most complete and well developed responses from the suppliers.</p> <p>Ensure that you have clearly articulated how you want the documentation provided (paper, memory stick, electronically), where the information is to be sent to, the number of copies and any specific splits (such as non-commercial copies for technical only evaluators).</p> <p>Ensure that there is also a clear deadline for submissions, regardless of whether you run a closed or open RFX process so that all suppliers are working to the same rules and timelines.</p>
17.	Advising Suppliers	In an open tender situation, there may be certain suppliers it would be beneficial to have bidding. It is acceptable to advise these suppliers that you have gone to market and where they can find the information should they wish to bid.
18.	EOI or RFX Questions	<p>If any supplier seeks clarification on anything to do with the Procurement Documents, the question and response should be shared with all other bidders in writing.</p> <p>The only exception to this is if the information requested by the supplier is of a personal nature to their bid, the Procurement Lead should then decide whether this information should be kept proprietary or shared with all bidders and inform the supplier prior to answering the question. In the event the information would be shared the supplier should make a final decision on whether they want the question answered or whether they want to withdraw the question (this is likely if they feel it would have a detrimental impact on their bid).</p>
19.	Bid Receipting	<p>All bids / quotes should be received by the deadline. Any supplier bid which is late must be approved by the person with delegated authority. WDC should only extend the deadline if there is a significant reason for allowing an extension of time (e.g. a significant change or addition to the scope).</p> <p>No bids / quotes should be opened prior to the deadline, if these are being received electronically, they should not be reviewed, however, they can be printed ready for the deadline.</p> <p>All bids or quotes should be registered. If paper copies are provided / printed these should be initialled and witnessed at the time of opening and recorded on the bid opening sheet. If electronic copies are to be utilised these should be recorded on the bid opening sheet.</p>
20.	Evaluation	<p>The evaluation panel established in step 15, now undertake the evaluation subject to no further Conflicts of Interest being identified. Ensure that the right documentation is received by each evaluator (e.g. if they are undertaking a technical only evaluation do not provide the commercial documentation). Provide a timeline for the panel to feedback their evaluations.</p> <p>Upon completion of the individual evaluations the Procurement lead may bring the evaluation team together to go through the evaluations and collate the results with the team (this is useful if you want a deep understanding of their rationale, often used on technically complex or large scale tenders) or collate the results and feed back to the team (this is less time consuming and often used on straight forward tender processes).</p> <p>It is important that the evaluation team are on board with the final decision. Therefore there should be an opportunity to challenge and review the results of the evaluation to ensure that the correct decision is being made.</p> <p>At this point all appropriate due diligence should also be undertaken as part of the evaluation process.</p>
21.	Evaluation Sign Off	<p>It is important that all of the evaluators sign off on the evaluation, process, results and final decision prior to proceeding. If this cannot be agreed the results should be escalated for a final decision.</p> <p>If there is a requirement for any other sign off of the evaluation prior to proceeding, this should be undertaken at this stage.</p>
22.	Supplier Selection	Advise the selected supplier of their selection and the intention to enter into formal negotiations, do not advise the other bidders of being unsuccessful at this stage as you still need to complete the negotiation process.
23.	HSE	At the time of requesting quotes, it is essential to establish whether the supplier(s) are HSE approved, if they are go to step 25.
24.	HSE Approval Process	<p>If the supplier(s) are not HSE approved outline the requirements to be approved to the supplier. If required, utilise the HSE team / expert to provide assistance in explaining the requirements to the supplier(s).</p> <p>It is acceptable to allow them to bid and undertake the full HSE approval process if they are successful, but this <u>must</u> be completed prior to the award of the contract or the raising of the Purchase Order.</p> <p>If the supplier will not undertake the HSE approval process or does not gain approval, then go back to step 20 if you have other quotes you can consider or, step 7 if you have no other quotes to consider.</p>
25.	Negotiation Preparation	<p>Identify the negotiating person or team.</p> <p>Review the tender documentation and establish the technical and commercial points of negotiation.</p> <p>Review the contract and identify any changes requested by the supplier.</p>
26.	Legal Team review	Where there are significant changes to contract ensure the Legal Team undertake a review of the changes.

Step	Description	Guiding Information
		If you are unsure whether they are significant ask the Legal Team to advise.
27.	Legal Team Sign Off	If the Legal Team sign off the changes, go to step 28. If the Legal Team do not sign off the changes negotiate the terms in line with the Legal Team's guidance and, go to step 28. If all aspects of the contractual negotiations are not agreed escalate for resolution, if resolution is successful, go to step 28. If resolution cannot be reached, go to step 20 and reconsider the supplier to be selected.
28.	Commercial Negotiation	Complete the final commercial negotiations. Include any final technical negotiations in this process and ensure that HSE approval has been attained and any Insurance Certificates required have been received. If all aspects are agreed by the parties, go to step 29. If all aspects are not agreed escalate for resolution, if resolution is successful, go to step 30. If resolution cannot be reached, go to step 20, and reconsider the supplier to be selected.
29.	Complete Recommendation to Award Documentation	Ensure all of the Procurement Plan, Evaluation Documentation and all Approval Documentation are completed.
30.	Approval process	Submit for final approval to the appropriate person with the Delegate Authority holder or the designated person with the delegation provided to them.
31.	Final Approval	If approval is given, go to step 32. If approval is not given either: a. if additional approval information is required, go to step 29; b. if additional evaluation is required, go to step 20; c. if the process is to be run, go to step 7; or d. end the process and inform all Suppliers of the decision not to proceed.
32.	Supplier Set Up	If the chosen Supplier is a new supplier, <u>after</u> they have met the HSE and Insurance requirements of WDC, ensure that they are set up on the system. Once this is completed or if they are already on the system go to Step 33.
33.	Order	Award the contract and / or provide a Purchase Order detailing the services to be provided, the works to be undertaken and/or the goods to be supplied. NB: No work should commence before the contract is signed or Purchase Order sent or before the Insurance and HSE requirements are completed. Inform the unsuccessful suppliers and provide the opportunity for feedback, if required. Ensure all Procurement information is correctly recorded and filed.
34.	Contract / Supplier Management	Assess the need for on-going contract management and the level required, if there is no need for Contract / Supplier Management (e.g. one off purchase), go to Step 40.
35.	Contract / Supplier Management Framework	Agree the required Contract / Supplier Management with the supplier; this should include all documents, reports, meetings and HSE requirements to be produced or attended, their frequency and the owner.
36.	Escalation Process	Agree with the supplier an escalation process for both commercial and technical issues, and go to step 37 or if it has been established in step 35 that there is no need for Contract / Supplier Management (e.g. one off purchase), go to Step 38.
37.	Contract / Supplier Management Framework	Build the framework based on the agreed documentation in Step 35.
38.	Transition	Determine whether there is a transition plan required. If not, go to Step 41.
39.	Transition Plan	Create a full transition plan with the supplier; this should take into consideration timeframes, operational issues / challenges associated with the change, resources and employee awareness requirements.
40.	Transition	Undertake transition and complete process.
41.	Contract Commencement	Commence contract on the agreed start date.
42.	Contract Variations	During the life of the contract, if the contract needs to be varied identify the variation required and negotiate / agree with the supplier.
43.	Variation Approval	Seek approval to vary contract in line with the Delegated Authority budget holder. If agreed write variation to contract, sign off with supplier, get authorised WDC sign off, implement and file variation with the other procurement documentation. If not agreed, go to step 44 and continue the contract, or, step 36 to escalate.
44.	Continuance	Continue Contract in line with agreed Contractual Terms.

Document No: A413382	
Report To: Council	
	Meeting Date: 27 November 2018
	Subject: Deliberation of Submissions and adoption of the Draft Freedom Camping Bylaw 2018
	Decision required

Purpose of Report

- 1.1 The purpose of this business paper is to provide Council with advice on the suggested treatment of the submissions received on the Draft Freedom Camping Bylaw 2018 (Bylaw) in order to assist with Council's deliberation.

Background

- 2.1 Council approved the Draft Bylaw on 25 September 2018 and approved the Statements of Proposal for public consultation at the same meeting.
- 2.2 Public consultation was carried out during the period 4 October 2018 to Friday 2 November 2018.
- 2.3 Three submissions were received, and one late submission was received on 14 November 2018. Council to confirm whether or not to receive this late submission and include it for consideration as part of its deliberations.

Commentary

- 3.1 The table below summarises the submissions, and provides commentary and recommendations:

Submitter	Topic	WDC Commentary and/or recommendation
New Zealand Motor Caravan Association Inc. (NZMCA) (supportive of the draft Bylaw and associated amendments to the Public Places Bylaw and Public Amenities Bylaw)	Clarification required as to the time freedom camping vehicles need to depart the restricted areas, 7am or 9am.	<u>Departure time</u> In response to the request to clarify the departure time of freedom camping vehicles, it is recommended that the definition of night be amended to 10pm to 9am. This is an administrative error, the intention was for the departure time to be 9am, to enable Waitomo District businesses to potentially benefit from the Freedom Campers being in the area at this time.
	Definition of 'night' in the draft Bylaw states "10pm to 7am".	
	Schedule 2: Restricted Areas for Freedom Camping para (d) states " <i>all vehicles being used for freedom camping must depart by 9am.</i> "	
	Review clause 9 regarding the ability of WDC to temporarily prohibit freedom camping.	<u>Clause 9 – Council's ability to temporarily prohibit freedom camping</u> It is recommended that no amendments be made to the Bylaw in response to this submission, and that the copy of the legal advice provided by NZMCA be noted.
	NZMCA supports the temporary closure of freedom camping areas for justifiable reasons, but wants to ensure WDC applies cl. 9 in a way that is consistent with the Freedom Camping Act 2011. NZMCA has sought legal advice previously about how other local	

Submitter	Topic	WDC Commentary and/or recommendation
	<p>authorities have relied on similar provisions to unilaterally close freedom camping sites without proper consideration of the Act's requirements. They have provided their legal advice as information.</p> <p>General Restrictions – Schedule 2 (e) NZMCA supports the restriction of camping gear and paraphernalia to within 1m of the vehicle in urban areas, however, NZMCA considers it should be more flexible in more remote areas where it is usually acceptable for campers to “spread out”. Alternatively, WDC may consider applying the rule to places with defined car park spaces or other areas where congestion is likely.</p>	<p><u>Distance of freedom campers possessions from vehicles</u> It is recommended that no changes be made to the Bylaw in response to this submission, as a consistent approach is required for all sites and is necessary to keep the sites tidy.</p>
<p>Holiday Parks New Zealand</p> <p>(not supportive of urban area freedom camping)</p>	<p>- Recommends freedom camping be prohibited in all urban areas of the Waitomo District.</p> <p>- Outside urban areas freedom camping should be restricted to self-contained vehicles only.</p> <p>- Roadside camping not appropriate in any urban area.</p> <p>It is essential that Council provides sufficient resources to enforce the Bylaw.</p> <p>Suggests that a buffer be put in place around commercial holiday parks to discourage unlawful use of its facilities e.g. showers, toilets and dump stations, which will remove the tensions that arise from campers overnighing for free in close proximity to commercial holiday parks.</p>	<p><u>Prohibiting freedom camping in all urban areas of the Waitomo District</u> It is recommended that no changes be made to the Bylaw in response to this submission.</p> <p><u>Sufficient resources to enforce Bylaw</u> It is recommended that no changes be made to the Bylaw in response to this submission.</p> <p><u>Commercial holiday parks buffer zone</u> It is recommended that no changes be made to the Bylaw in response to this submission.</p>
<p>Dawn Anselmi</p> <p>(supportive of the Bylaw)</p>	<p>Question: what will the status of the Mangapohue Natural Bridge be?</p> <p>Comments: Mangaokewa Reserve busy place over summer, and the submitter has previously observed block sinks with food and dirty toilets.</p> <p>Te Kuiti urgently needs a large camping ground.</p>	<p>The Natural Bridge is owned and operated by the Department of Conservation, WDC is only able to implement bylaws in relation to land under the control of WDC. The submitter has been advised of this information.</p> <p>No change is required to the Bylaw in response to this submission.</p>
<p>[Late Submission]</p> <p>Elly and Keith Buswell on behalf of Project Manu and the Mangaokewa Reserve Committee</p> <p>(not supportive of the Bylaw)</p>	<p>Comments:</p> <ul style="list-style-type: none"> - increasing problems being created by the increasing numbers of camper vans, tents and people sleeping in cars at the Mangaokewa Reserve, parking issues, excessive rubbish and dirty toilets. Although free for Freedom Campers it is costing ratepayers to maintain the areas used by the Freedom Campers. - The scale of freedom camping is interfering with the area as a popular family destination, compromising local ratepayers use. - Reports of campervans along Tate Rd, Brook Park and elsewhere at night. 	<p>No change is required to the Bylaw in response to this submission.</p>
	<p>Suggestions:</p> <ul style="list-style-type: none"> - freedom camping in general should be discouraged in the Waitomo area; - introduce a fee for staying at the Mangaokewa Reserve (\$10-\$20 per vehicle, which would cover employees' salaries to collect the fee each evening; 	

Submitter	Topic	WDC Commentary and/or recommendation
	<ul style="list-style-type: none"> - install a barrier at Mangaokewa Reserve to be locked at night, with opening mechanism for exiting. Campers given a code upon paying, code to be changed daily; and - the proposed camping ground at Brook Park be high priority. 	

3.2 Summary of Amendments

The only amendment required to the Bylaw as a result of the submissions, is in relation to clarification of the departure time of freedom camping vehicles from restricted areas. This was an administrative error and was intended to be 9am to enable the businesses in the Waitomo District to potentially benefit from the Freedom Campers being in the area at this time. Therefore, the following clause should be amended as follows:

“**Night**”: means the time period between 10pm and 9am.”

3.3 No amendments are required to the draft Public Places Bylaw or Public Amenities Bylaw.

Process Forward

4.1 If Council agrees to the recommended amendment to the draft Freedom Camping Bylaw, the Bylaw can be adopted, published and made operative.

Suggested Resolutions

- 1 The business paper on Deliberation of Submissions and Adoption of the Draft Freedom Camping Bylaw 2018 be received.
- 2 Council accept/not accept the Late Submission and include it for consideration as part of the deliberations at the Council Meeting on Tuesday 27 November 2018.
- 3 The recommended amendments to the draft Freedom Camping Bylaw be approved.
- 4 No changes be made to either the draft Public Places Bylaw and Public Amenities Bylaw.
- 5 The draft Freedom Camping Bylaw be adopted.



KOBUS DU TOIT
GENERAL MANAGER – INFRASTRUCTURE SERVICES

Attachments: Late Submission from Elly and Keith Buswell for Project Manu and the Mangaokewa Reserve Committee (A413388).

From: [Brian R. Hanna](mailto:brian@hanna.net.nz)
To: [Michelle Higgie](mailto:Michelle.Higgie@waitomo.govt.nz)
Subject: FW: Letter to Council
Date: Wednesday, 14 November 2018 3:12:51 PM
Attachments: [Letter to council about freedom camping.docx](#)

Brian R. Hanna | Mayor
 Waitomo District Council
 PO Box 404, Queen Street, Te Kuiti
 Phone 07 878 0800 | Fax: 07 878 7771 | Mobile 021 726 282
www.waitomo.govt.nz | www.facebook.com/waitomodistrict
 Our people, our place, our future!
 Waitomo District

-----Original Message-----

From: brian@hanna.net.nz [<mailto:brian@hanna.net.nz>]
 Sent: Wednesday, 14 November 2018 3:11 PM
 To: Mayor <Mayor@waitomo.govt.nz>
 Subject: Fwd: Letter to Council

>----- Original Message -----

>From: Keith Buswell <buz@actrix.co.nz>
 >To: "Sheryl and David David" <d.sknight@xtra.co.nz>, "Dave Smith" <dwsmith@doc.govt.nz>, "Frances Rawlings" <fwr@actrix.co.nz>, "Stella Smart" <charlie@smartplants.co.nz>, "Ray Scrimgeour" <rscrimgeour@doc.govt.nz>, "colin Scobie" <colin.h.scobie@gmail.com>, "Colin Blank" <colinblank@xtra.co.nz>, "Marie Tregoweth" <maree.tregoweth@nbnz.co.nz>, "Wayne Addy" <wayne.addy@xtra.co.nz>, "Debbie Chapell" <dchappell5747@gmail.com>, "Kate Polson" <katepolson@xtra.co.nz>, "Barbara Hansen" <baray@clear.net.nz>, "Rob Buckley" <robmandmargb@xtra.co.nz>, "Sybil Iremonger" <sybilyremonger@gmail.com>, "Graeme Plenderlieth" <glplendy@xtra.co.nz>, "Bronwyn Adams" <bronwyna@ymail.com>, "Jenny and Ray Tuck" <randj.tuck@xtra.co.nz>, "Brian and Andrea Hanna" <brian@hanna.net.nz>, "Glen and Kim Bailey" <gandkbailey@xtra.co.nz>, "Celina Yapp" <director@waitomodiscovery.org>, "Terese MORIARTY" <terese.moriarty@gmail.com>, "Karyn Fitzgerald" <k.fitzgerald@ruralinzone.net>, "Val Nahna" <beinval@gmx.com>, "Helen Tutty" <tuttytandh@xtra.co.nz>, "Russell and shona Hollinshead" <rush2@xtra.co.nz>, "Wayne Gernhoeffer" <gernhoefer@clear.net.nz>, "Nettie Kelly" <jkal@xtra.co.nz>, "Gayel Pitcorn" <Gayel.Pitcorn@xtra.co.nz>, "Scott Lincoln" <scottjo@xtra.co.nz>, "Anne Garvey" <annegee@xtra.co.nz>, "Ronald Takerei" <takerei@xtra.co.nz>, "Damin Moys Design" <dameseboy@hotmail.com>, "Warren Peach" <warrenpea@gmail.com>, "Michael and Margie Boulton" <mikejackie88@gmail.com>, "andrea neeley" <neeleys@farmside.co.nz>, "willa Reid" <willa.thaniya@gmail.com>, "Helen Fisher" <helenbrown@doctors.org.uk>, "Bruce Strahan" <colleen.antrim@xtra.co.nz>, "robin stephens" <brstephens@xtra.co.nz>, "Mike and Jackie Cosgrove" <cozzys@outlook.co.nz>, "jill Ikin" <jillikin1@gmail.com>, "stacey and Ollie Brew" <stacey.brew@gmail.com>, "sue and Roger Alcock" <sue.roger@farmside.co.nz>, "Tom Brough" <tlbrough@xtra.co.nz>, "Jacob Robinson Robinson" <jacrobobinson8@gmail.com>, "Cherie Demlmanche" <fesltd@xtra.co.nz>, "Reserve Couple" <echoatomil@gmail.com>, "Linda Lovini" <lindalovini@yahoo.co.nz>, "Paul Ware" <PAUL.JOHN.WARE@gmail.com>, "kelvin Hayes" <kel.hayestreesnjobs@gmail.com>

>Sent: Wed, Nov 14, 2018, 11:46 AM

>Subject: Letter to Council

>

>Kiaora Tatou,

>

>We have taken the liberty to send the attached letter/submission to council today - on your behalf!!!

>Submissions closed late last week and so it was urgent to get it away.

>I am sorry you have not been able to have input but please let me know

>if you have any thoughts/disagreement etc.Nga mihi Keith and Elly

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Letter/Submission to Council re- Freedom Camping at the Mangaokewa Reserve

Our the past several years, we have become increasingly concerned at the increasing numbers of camper vans, slept in cars and tents appearing each night at the viaduct picnic area over the summer months.

This past Sunday morning, Project Manu held a baiting day and parking for our volunteers was an issue. There were 32 vehicles at the site and several tents. There were very few campervans.

The toilets were blocked and smelly. We noted people carrying large bags of rubbish from their cars to fill the overflowing rubbish containers.

In the past the area has been a popular destination for local families for swimming, picnicking, games etc. The scale of freedom camping is interfering with this experience.

It is not uncommon to find rubbish within the bush surrounding the picnic area, (although it is possible this is largely irresponsible local residents' rubbish).


Whilst it is a laudable ideal for people to be able to camp, the numbers now involved are problematic. It seems that the area is being used by freedom campers not so much because of its inherent qualities (beautiful forest, river, peaceful etc) but because it is free. It is free for these campers, but not for local ratepayers who cover the cost of maintenance, and whose use of the area is compromised.

We suggest that:

- the proposed camping ground at Brook Park be high priority – for campers as well as campervans
- there be a fee for staying the viaduct eg \$10 – 20 per car. Over the summer months this would more than compensate an employees salary to collect this fee each evening
- the existing barrier could be used to lock the reserve from incoming traffic at night with an opening mechanism for exiting. Campers would be given a code when they pay. This code would be changed each day and it seems such systems are in place elsewhere.
- freedom camping in general should be discouraged in our area. There are reports of campervans along Tate Road at night, at Brook Park and elsewhere.

Thank you for considering this matter.

Elly and Keith Buswell
For Project Manu and the Mangaokewa Reserve Committee.

Document No: A413214			
Report To: Council			
	Meeting Date:	27 November 2018	
	Subject:	Progress Report:	Proposed Waitomo District Plan
	Type:	Information Only	

Purpose of Report

- 1.1 The purpose of this business paper is to update Council on the development and review of the Proposed Waitomo District Plan.

Background

- 2.1 In September 2015, Council resolved to undertake a full review of the Operative Waitomo District Plan. The 2018-28 Waitomo District Long Term Plan provides for this process. The main objective currently is to develop the Proposed Waitomo District Plan (PDP) to notification stage. The PDP must be legally robust and provide guidance for long term resource management in the District.

Commentary

- 3.1 The following table is an update on the projects underway:

Project	Progress
Identification and Management of Coastal Hazards	The second round of consultation with coastal communities has been completed. At this stage it is anticipated that further specific consultation might be required with landowners at Mokau Spit and on Rauparaha Street in Marokopa.
Te Kuiti, Benneydale and Piopio Town Concept Plans, Waitomo Caves Village and Mokau Structure Plans	The draft plans are complete and will be released for public feedback on 1 December 2018. Communications are underway for this. A second round of community open days is proposed for February 2019.
Flood and Land Stability Hazard Assessments	The scope of the assessments has been approved by Waikato Regional Council (WRC) and these projects are underway. WRC has generously agreed to fund the land stability hazard assessment. This work is likely to take around four months to complete.
Landscapes, Natural Features and the Coastal Environment	The draft natural features assessment is complete. The landscapes and coastal environment assessments have been visually confirmed. Consultation dates with landowners will be set once the Significant Natural Area (SNA) data is refined.
Identification of Significant Natural Areas	While the SNA project was tracking well, there was a setback in early September when the data was tested. WRC have generously agreed to fund the "clean up" of the dataset which is now underway. Consultation dates with landowners will be set once the data is refined.
Identification of heritage buildings	This work is underway with volunteer groups currently collecting information on potential

	heritage sites. This information will be collated and assessed with the assistance of Heritage New Zealand and Council's expert, Dr Alexy Simmonds.
Identification of cultural sites	Council staff have been working with staff from the Maniapoto Maori Trust Board on the identification of cultural sites. The Trust have shared information with Council and are meeting with staff on a regular basis. Currently the focus is on correlating the GIS layers with the archaeological sites and the cultural sites identified in the operative district plan.
Iwi Consultation	Staff are looking forward to the first meeting of the RMC Working Group which has been scheduled. Staff are working with mana whenua on an ongoing basis and are establishing a relationship with Ngati Mahuta.
Industry and Special Industrial Areas	Consultation with this stakeholder group is the next engagement project to commence and meetings have been scheduled.

- 4.2 Over the past two years, Council has covered all of the topic areas that will be included as chapters or zones in the PDP. While some of these topic areas will be renamed as a result of the draft National Planning Standards, the majority of work directing the overall approach to be taken in the PDP is now complete. The following table summarises the matters that the Council has considered and provided direction on since 27 March 2017.

Matters Council has considered and provided direction on:	Date of Workshop
Application of the purpose of the Resource Management Act Application of the hierarchy of statutory documents The purpose of the rural zone Planning maps	12 April 2017
Structure planning and Town Concept planning – Te Kuiti, Waitomo, Benneydale, Piopio and Mokau The purpose of the rural-residential zone The purpose of the residential zone	20 June 2017
Manaipoto Maori Trust Board Engagement Strategy The Designation process	20 July 2017
Consultant scope – Coastal hazards, landscapes, natural hazards, ecology, heritage and archaeology projects. Manaipoto Maori Trust Board Engagement Strategy The Communication Strategy Coastal hazards, coastal flooding and adaptive management strategies	15 August 2017
Consultation – Te Kuiti and Mokau Reserve Management Plan alignment The purpose of the settlement zone The purpose of the Industrial zone Special Industrial Areas	19 September 2017
Waitomo District Natural Hazards Summary	10 October 2017
Local Indigenous Biodiversity Strategies (LIBS) Te Kuiti Town Concept Plan and Mokau Structure Plan – Draft versions The purpose of the papakaainga zone	17 October 2017
Te Kuiti Town Concept Plan and Mokau Structure Plan – Final versions	21 November 2017
Te Kuiti Town Concept Plan and Mokau Structure Plan – consideration of feedback from open days Heritage structures and buildings – proposed project approach	13 February 2018
The purpose of the conservation zone The purpose of the open space zone	20 February 2018
The purpose of the subdivision chapter The purpose of the commercial zone Progress on coastal hazards consultation – Mokau/Awakino, Marokopa/Kiriterehere, Te Waitere/Kinohaku Progress on Significant Natural Area identification Progress on the Structure Planning and Town Concept Planning work	6 March 2018
The purpose of the works and utilities chapter The purpose of the transport chapter Initial rezoning approach	17 April 2017

The Waitomo Structure Plan, The Benneydale Town Concept Plan and the Piopio Town Concept Plan New national environmental standards for plantation forestry	
Strategic guidelines for the District Plan Progress on Significant Natural Area identification - stakeholders Reserves Management Plan progress Town centre survey Rezoning project National Planning Standards Coastal hazards, coastal flooding and adaptive management strategies update The Waitomo Structure Plan, the Benneydale Town Concept Plan and the Piopio Town Concept Plan – Final versions	5 June 2018
The purpose of the tourism zone The purpose of the deferred zone The purpose of the hazards chapter The purpose of the landscapes chapter The flooding and instability hazards project Coastal hazards – community open days Summary of feedback from the Piopio, Waitomo Caves Village and Benneydale Planning processes The MAP process for Te Kuiti and Mokau	24 July 2018
The Te Kuiti Town Concept Plan – Final Version for Round 2 Consultation. The Mokau Structure Plan – Final Version for Round 2 Consultation. Consultation - Te Kuiti Town Concept Plan and Mokau Structure Plan Te Kuiti Town Centre Retail Assessment. Cultural Sites Identification. The purpose of the Heritage Chapter. The purpose of the Indigenous Biodiversity Chapter.	21 August 2018
The purpose of the lakes and water bodies chapter (Now Natural Environmental Values & Activities on the Surface of Water) The purpose of the amenity chapter (Now General District Wide Matters) The purpose of the strategic direction chapter The Piopio Town Concept Plan – Final Version for Round 2 Consultation. The Waitomo Caves Village Structure Plan – Final Version for Round 2 Consultation. The Benneydale Town Concept Plan – Final Version for Round 2 Consultation.	18 September 2018
The purpose of the Landscape, Landforms and Natural Character Chapter	20 November 2018

- 4.3 In line with Council's direction, the focus of 2018 continues to be on community engagement over a range of issues. Ongoing consultation with coastal communities and Customary Marine Title Applicants is occurring on coastal hazards. Engagement with landowners on issues including heritage buildings, significant natural areas and outstanding natural landscapes and features will commence. A second round of consultation is proposed for the Structure Plans and Town Concept Plans in February 2019.

Suggested Resolution

The Progress Report: Proposed Waitomo District Plan be received.



CATHY O'CALLAGHAN
PRINCIPAL PLANNER

12 November 2018